
By: **Delegates Hixson, Anderson, Bartlett, Barve, Benson, Bobo, Boschert, Boteler, Bronrott, Brown, Cane, Carter, V. Clagett, Conroy, Cryor, C. Davis, Doory, Dumais, Elmore, Frush, Gilleland, Glassman, Goodwin, Gordon, Gutierrez, Healey, Heller, Howard, Hubbard, Jameson, Kach, Kaiser, King, Kirk, Krysiak, Lee, Love, Madaleno, Mandel, Marriott, Murray, Nathan-Pulliam, Oaks, Parrott, Patterson, Proctor, Pugh, Ramirez, Ross, Simmons, Sossi, Stern, F. Turner, V. Turner, and Weir Weir, Bozman, Cardin, McKee, and Myers**

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Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 29, 2006

CHAPTER _____

1 AN ACT concerning

2 **Education - ~~Funding Formula for~~ Adult Education and Literacy Grants**
3 **Services - Funding**

4 FOR the purpose of requiring the State Department of Education to provide
5 competitive adult education grants beginning in a certain fiscal year for certain
6 eligible adult education providers; requiring that funding for State adult
7 education grants shall be provided in the State budget; providing for the manner
8 of calculation of the amount of a certain State adult education grant available
9 for each county for distribution to certain adult education providers; providing
10 for an adjustment to the State adult education grant to reflect regional
11 differences in the cost of education due to certain factors; providing for a certain
12 minimum adult education provider adjustment amount to certain adult
13 education providers under certain circumstances; providing for a certain small
14 program adjustment amount for certain adult education providers under certain
15 circumstances; providing for the calculation of the total State adult education
16 grant amount available to the counties under certain circumstances; providing
17 for a certain phase in of the total State adult education grant amounts available
18 for certain fiscal years under certain circumstances; requiring that a county
19 provide a certain local share of funding for adult education programs in order to
20 be eligible to receive a State adult education grant; providing for the manner of
21 calculation of certain county contributions for adult education funding;

1 providing that a county's local contribution to adult education program funding
 2 may include certain contributions of private donors and the federal government;
 3 requiring the State Department of Education to distribute competitive grants
 4 for certain adult education and literacy services in accordance with the State
 5 Plan for Adult Education and Family Literacy; requiring that certain State
 6 grants for adult education programs be based on need and performance;
 7 requiring the State Board of Education to adopt certain regulations; defining
 8 certain terms; and generally relating to establishing a funding formula for adult
 9 education and literacy services. Governor to include a certain appropriation in
 10 the State budget for a certain fiscal year for the State Department of Education
 11 to distribute as Literacy Works grants for adult education and literacy services;
 12 and generally relating to funding for adult education and literacy services.

13 BY repealing and reenacting, with amendments,
 14 Article - Education
 15 Section 5-218
 16 Annotated Code of Maryland
 17 (2004 Replacement Volume and 2005 Supplement)

18 ~~BY adding to~~
 19 ~~Article - Education~~
 20 ~~Section 5-218~~
 21 ~~Annotated Code of Maryland~~
 22 ~~(2004 Replacement Volume and 2005 Supplement)~~

23 Preamble

24 WHEREAS, ~~The economy of Maryland requires an educated workforce to be~~
 25 ~~competitive with other states; and~~

26 WHEREAS, ~~Almost 1,000,000 out of school youth and adults need a high school~~
 27 ~~diploma, need to learn to communicate in English, or need to improve basic literacy~~
 28 ~~skills; and~~

29 WHEREAS, ~~The State Assessment of Adult Literacy, published by the American~~
 30 ~~Institutes for Research in December 2005, reported 1,500,000 Maryland adults with~~
 31 ~~literacy skills at only the basic or below basic level; and~~

32 WHEREAS, ~~44% of adults with below basic literacy skills are not in the labor~~
 33 ~~force; and~~

34 WHEREAS, ~~Maryland provides adult education and literacy services to only 3%~~
 35 ~~to 4% of the target population; and~~

36 WHEREAS, ~~There is a high demand for adult education and literacy services~~
 37 ~~with waiting lists of at least 5,000 people annually; and~~

1 WHEREAS, Maryland's investment in adult education and literacy is not
2 competitive with other states; and

3 WHEREAS, Maryland's per student investment is 84% below the average of
4 other East Coast states and less than all East Coast states except Rhode Island; and

5 WHEREAS, The General Assembly directed the State Superintendent of Schools
6 to propose a funding formula for adult education; and

7 WHEREAS, The State Superintendent of Schools appointed the
8 Superintendent's Panel on Excellence in Adult Education with leadership from the
9 business community, labor, primary and secondary education, higher education, local
10 government, community organizations, and adult education providers to study the
11 issue and provide advice on a funding formula; and

12 WHEREAS, Stepping Up to the Future, the final report of the Superintendent's
13 Panel on Excellence in Adult Education recommended a funding formula; and

14 WHEREAS, The State Board of Education has endorsed the report and
15 recommendations of the Superintendent's Panel on Excellence in Adult Education,
16 including the funding formula; and

17 WHEREAS, There is a documented economic return on investment from adult
18 education and literacy services from increased wages for adult education students
19 equivalent to 18% to 25% of minimum wage within 18 months of exit from services;
20 and

21 WHEREAS, Dropouts who earn a high school diploma can increase their wages
22 by \$7,000 annually; and

23 WHEREAS, Adult education and literacy services help break the
24 intergenerational cycle of low achievement since the literacy level of a parent is the
25 best predictor of a child's literacy level; and

26 WHEREAS, A funding formula for adult education and literacy services will
27 help establish an adequate foundation for services to reach more of the target
28 population and to ensure that students achieve results; now, therefore,

29 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
30 MARYLAND, That Section(s) 5-218 of Article Education of the Annotated Code of
31 Maryland be repealed.

32 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
33 read as follows:

~~Article—Education~~

2 ~~5-218.~~

3 (A) (1) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
4 ~~INDICATED.~~

5 (2) ~~"ADULT EDUCATION PROVIDER" MEANS A GRANTEE SELECTED BY A~~
6 ~~COMPETITIVE GRANT PROCESS CONDUCTED BY THE DEPARTMENT.~~

7 (3) ~~"BASE PER FULL-TIME-EQUIVALENT ENROLLMENT AMOUNT"~~
8 ~~MEANS:~~

9 (I) ~~\$1,803 FOR FISCAL YEAR 2007; AND~~

10 (II) ~~FOR FISCAL YEAR 2008 AND EACH FISCAL YEAR THEREAFTER:~~

11 1. ~~THE BASE PER FULL-TIME-EQUIVALENT ENROLLMENT~~
12 ~~AMOUNT FOR THE PRIOR FISCAL YEAR INCREASED BY THE SAME PERCENTAGE AS~~
13 ~~THE INCREASE IN THE IMPLICIT PRICE DEFLATOR FOR STATE AND LOCAL~~
14 ~~GOVERNMENT EXPENDITURES FOR THE SECOND PRIOR FISCAL YEAR; OR~~

15 2. ~~IF THERE IS NO INCREASE IN THE IMPLICIT PRICE~~
16 ~~DEFLATOR FOR STATE AND LOCAL GOVERNMENT EXPENDITURES FOR THE SECOND~~
17 ~~PRIOR FISCAL YEAR, THE BASE PER FULL-TIME-EQUIVALENT ENROLLMENT AMOUNT~~
18 ~~FOR THE PRIOR FISCAL YEAR.~~

19 (4) (I) ~~"FULL-TIME-EQUIVALENT ENROLLMENT" MEANS THE TOTAL~~
20 ~~NUMBER OF INSTRUCTIONAL HOURS PROVIDED FOR A STUDENT BY AN ADULT~~
21 ~~EDUCATION PROVIDER IN THE SECOND PRIOR FISCAL YEAR DIVIDED BY 120.~~

22 (II) ~~"FULL-TIME-EQUIVALENT ENROLLMENT" INCLUDES ONLY~~
23 ~~STUDENTS RECEIVING INSTRUCTIONAL HOURS CONSISTENT WITH THE CURRENT~~
24 ~~CRITERIA OF THE NATIONAL REPORTING SYSTEM FOR ADULT EDUCATION.~~

25 (5) ~~"GEOGRAPHIC COST OF EDUCATION INDEX ADJUSTMENT FACTOR"~~
26 ~~MEANS THE ADJUSTMENT FACTOR UNDER § 5-202(F) OF THIS SUBTITLE FOR THE~~
27 ~~COUNTY.~~

28 (6) ~~"LOCAL PHASE IN AMOUNT" MEANS:~~

29 (I) ~~\$5,000,000 IN FISCAL YEAR 2007;~~

30 (II) ~~\$10,000,000 IN FISCAL YEAR 2008;~~

31 (III) ~~\$15,000,000 IN FISCAL YEAR 2009; AND~~

32 (IV) ~~\$20,000,000 IN FISCAL YEAR 2010.~~

1 (7) "LOCAL SHARE" MEANS THE MINIMUM LEVEL OF A COUNTY'S
2 CONTRIBUTION TO ADULT EDUCATION PROGRAM FUNDING AS CALCULATED UNDER
3 THIS SECTION.

4 (8) "LOCAL WEALTH PER CAPITA" MEANS THE WEALTH FOR THE
5 COUNTY IN WHICH AN ADULT EDUCATION PROVIDER IS LOCATED DIVIDED BY THE
6 POPULATION FOR THAT COUNTY.

7 (9) "MAXIMUM FULL TIME EQUIVALENT ENROLLMENT EXPOSURE"
8 MEANS THE STATEWIDE POPULATION MULTIPLIED BY A FACTOR, THE NUMERATOR
9 OF WHICH IS 40,000 AND THE DENOMINATOR OF WHICH IS 5,441,531.

10 (10) "POPULATION" HAS THE MEANING STATED IN § 23-501 OF THIS
11 ARTICLE.

12 (11) "STATE PHASE IN AMOUNT" MEANS:

13 (I) \$8,853,622 IN FISCAL YEAR 2007;

14 (II) \$13,853,622 IN FISCAL YEAR 2008;

15 (III) \$18,853,622 IN FISCAL YEAR 2009; AND

16 (IV) \$23,853,622 IN FISCAL YEAR 2010.

17 (12) "STATEWIDE WEALTH PER CAPITA" MEANS THE SUM OF THE
18 WEALTH FOR ALL COUNTIES DIVIDED BY THE SUM OF THE POPULATION FOR ALL
19 COUNTIES.

20 (13) "TOTAL WEIGHTED FULL TIME EQUIVALENT ENROLLMENT" MEANS:

21 (I) THE SUM OF THE WEIGHTED FULL TIME EQUIVALENT
22 ENROLLMENT IN PARAGRAPH (15) OF THIS SUBSECTION AS CALCULATED FOR EACH
23 ADULT EDUCATION PROVIDER; OR

24 (II) IF THE SUM OF ALL THE TOTAL WEIGHTED FULL TIME
25 EQUIVALENT ENROLLMENT PROVIDER FIGURES IN ITEM (I) OF THIS PARAGRAPH IS
26 GREATER THAN THE MAXIMUM FULL TIME EQUIVALENT ENROLLMENT EXPOSURE,
27 THE SUM CALCULATED IN ITEM (I) OF THIS PARAGRAPH FOR EACH ADULT
28 EDUCATION PROVIDER MULTIPLIED BY A FACTOR THE NUMERATOR OF WHICH IS
29 THE MAXIMUM FULL TIME EQUIVALENT ENROLLMENT EXPOSURE AND THE
30 DENOMINATOR OF WHICH IS THE SUM OF ALL OF THE ADULT EDUCATION PROVIDER
31 ENROLLMENT FIGURES CALCULATED IN ITEM (I) OF THIS PARAGRAPH.

32 (14) "WEALTH" HAS THE MEANING STATED IN § 5-202(A) OF THIS
33 SUBTITLE.

34 (15) "WEIGHTED FULL TIME EQUIVALENT ENROLLMENT" MEANS THE
35 TOTAL FULL TIME EQUIVALENT ENROLLMENT FOR AN ADULT EDUCATION
36 PROVIDER IN EACH OF THE FOLLOWING GROUPS, MULTIPLIED BY:

- 1 (I) 1.05 FOR ADULT BASIC EDUCATION STUDENTS;
- 2 (II) 0.80 FOR ADULT SECONDARY EDUCATION STUDENTS;
- 3 (III) 1.07 FOR ENGLISH AS A SECOND LANGUAGE STUDENTS WITH
4 NATIONAL ADULT LITERACY SURVEY LEVELS 1 OR 2; AND
- 5 (IV) 0.74 FOR ENGLISH AS A SECOND LANGUAGE STUDENTS WITH
6 NATIONAL ADULT LITERACY SURVEY LEVEL 3.
- 7 (B) (1) FOR FISCAL YEAR 2007 AND EACH FISCAL YEAR THEREAFTER, THE
8 DEPARTMENT SHALL PROVIDE COMPETITIVE ADULT EDUCATION GRANTS TO
9 ELIGIBLE LOCAL ADULT EDUCATION PROVIDERS.
- 10 (2) FUNDING FOR THE STATE ADULT EDUCATION GRANTS UNDER THIS
11 SECTION SHALL BE PROVIDED IN THE STATE BUDGET.
- 12 (C) (1) THE AMOUNT OF THE ANNUAL STATE ADULT EDUCATION GRANT
13 AVAILABLE FOR EACH COUNTY FOR DISTRIBUTION TO ADULT EDUCATION
14 PROVIDERS SHALL BE CALCULATED AS PROVIDED IN THIS SUBSECTION.
- 15 (2) FOR EACH COUNTY:
- 16 (I) MULTIPLY THE TOTAL WEIGHTED FULL-TIME EQUIVALENT
17 ENROLLMENT BY THE BASE PER FULL-TIME EQUIVALENT ENROLLMENT AMOUNT;
- 18 (II) MULTIPLY THE RESULT OBTAINED IN ITEM (I) OF THIS
19 PARAGRAPH BY 0.5;
- 20 (III) DIVIDE THE RESULT CALCULATED IN ITEM (II) OF THIS
21 PARAGRAPH BY THE RATIO, ROUNDED TO SEVEN DECIMAL PLACES, OF LOCAL
22 WEALTH PER CAPITA TO STATEWIDE WEALTH PER CAPITA; AND
- 23 (IV) MULTIPLY THE RESULT CALCULATED IN ITEM (III) OF THIS
24 PARAGRAPH FOR THE COUNTY BY THE RESULT, ROUNDED TO SEVEN DECIMAL
25 PLACES, WHICH RESULTS FROM DIVIDING AN AMOUNT EQUAL TO THE SUM OF EACH
26 OF THE RESULTS OF THE CALCULATIONS IN ITEM (II) OF THIS PARAGRAPH BY AN
27 AMOUNT EQUAL TO THE SUM OF EACH OF THE RESULTS OF THE CALCULATIONS IN
28 ITEM (III) OF THIS PARAGRAPH.
- 29 (D) THE AMOUNT CALCULATED IN SUBSECTION (C)(2)(IV) OF THIS SECTION
30 SHALL BE ADJUSTED FOR EACH COUNTY AS FOLLOWS:
- 31 (1) MULTIPLY THE AMOUNT CALCULATED IN SUBSECTION (C)(2)(I) OF
32 THIS SECTION BY THE GEOGRAPHIC COST OF EDUCATION INDEX ADJUSTMENT
33 FACTOR; AND
- 34 (2) ADD THE AMOUNT CALCULATED IN PARAGRAPH (1) OF THIS
35 SUBSECTION TO THE AMOUNT CALCULATED IN SUBSECTION (C)(2)(IV) OF THIS
36 SECTION.

~~(E) (1) IF THE AMOUNT CALCULATED UNDER SUBSECTION (D)(2) OF THIS SECTION FOR ANY COUNTY IS LESS THAN THE MINIMUM ADULT EDUCATION GRANT AMOUNT DETERMINED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL PROVIDE AN ADDITIONAL ADJUSTMENT FOR THE COUNTY IN THE AMOUNT BY WHICH THE MINIMUM ADULT LITERACY GRANT AMOUNT EXCEEDS THE RESULT CALCULATED UNDER SUBSECTION (D)(2) OF THIS SECTION.~~

~~(2) FOR EACH COUNTY, THE MINIMUM ADULT EDUCATION ADJUSTMENT AMOUNT IS THE RESULT OBTAINED BY MULTIPLYING THE BASE AMOUNT PER FULL TIME EQUIVALENT ENROLLMENT BY THE COUNTY'S WEIGHTED FULL TIME EQUIVALENT ENROLLMENT COUNT, AND MULTIPLYING THIS PRODUCT BY 0.4.~~

~~(F) IF THE TOTAL OF THE AMOUNT CALCULATED UNDER SUBSECTION (D)(2) OF THIS SECTION AND THE AMOUNT CALCULATED UNDER SUBSECTION (E)(1) OF THIS SECTION FOR A COUNTY IS LESS THAN \$100,000, THEN THE DEPARTMENT SHALL DETERMINE AN ADDITIONAL ADJUSTMENT FOR THE COUNTY IN THE AMOUNT BY WHICH \$100,000 EXCEEDS THE TOTAL OF THE AMOUNT CALCULATED UNDER SUBSECTION (D)(2) OF THIS SECTION AND THE AMOUNT, IF ANY, CALCULATED UNDER SUBSECTION (E)(1) OF THIS SECTION.~~

~~(G) (1) SUBJECT TO SUBSECTION (H) OF THIS SECTION, THE TOTAL STATE ADULT EDUCATION GRANT AMOUNT AVAILABLE FOR A COUNTY IS THE SUM OF THE AMOUNTS AS CALCULATED UNDER SUBSECTIONS (D)(2), (E), AND (F) OF THIS SECTION.~~

~~(2) ANY ADDITIONAL STATE FUNDING PROVIDED BY THIS GRANT IN EXCESS OF THE AMOUNT PROVIDED IN FISCAL YEAR 2006 MAY NOT BE USED TO SUPPLANT THE LOCAL SHARE PROVIDED TO THE PROGRAM.~~

~~(H) (1) FOR FISCAL YEARS 2007 THROUGH 2011, IF THE TOTAL STATE ADULT EDUCATION GRANT AMOUNTS AVAILABLE EXCEEDS THE STATE PHASE IN AMOUNT FOR THAT FISCAL YEAR, THEN THE AMOUNT OF THE GRANT SHALL BE ADJUSTED FOR EACH COUNTY AS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION.~~

~~(2) THE TOTAL STATE GRANT AMOUNT AVAILABLE FOR EACH COUNTY IS MULTIPLIED BY A FACTOR ROUNDED TO SEVEN DECIMAL PLACES, THE NUMERATOR OF WHICH IS THE STATE PHASE IN AMOUNT FOR THE FISCAL YEAR AND THE DENOMINATOR OF WHICH IS THE SUM OF ALL THE TOTAL STATE ADULT EDUCATION GRANT AMOUNTS AS CALCULATED UNDER SUBSECTION (G) OF THIS SECTION.~~

~~(1) (1) IN ORDER TO RECEIVE A STATE ADULT EDUCATION GRANT, A COUNTY SHALL PROVIDE A LOCAL SHARE AS CALCULATED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION.~~

~~(2) (1) THE LOCAL SHARE IS CALCULATED FOR EACH COUNTY AS PROVIDED IN THIS PARAGRAPH.~~

~~(H) SUBJECT TO SUBPARAGRAPHS (III) AND (IV) OF THIS PARAGRAPH, SUBTRACT THE RESULT CALCULATED UNDER SUBSECTION (C)(2)(IV) OF~~

~~1 THIS SECTION FROM THE RESULT CALCULATED UNDER SUBSECTION (C)(2)(I) OF THIS
2 SECTION.~~

~~3 (III) IF THE RESULT OF THE CALCULATION IN SUBPARAGRAPH (II)
4 OF THIS PARAGRAPH IS GREATER THAN THE PRODUCT OF THE RESULT CALCULATED
5 UNDER SUBSECTION (C)(2)(I) OF THIS SECTION MULTIPLIED BY 0.6, THEN THE LOCAL
6 SHARE IS THE PRODUCT OF THE RESULT CALCULATED UNDER SUBSECTION (C)(2)(I)
7 OF THIS SECTION MULTIPLIED BY 0.6.~~

~~8 (IV) THE LOCAL SHARE MAY NOT BE LESS THAN ZERO.~~

~~9 (3) THE LOCAL SHARE SHALL BE ADJUSTED AS FOLLOWS:~~

~~10 (I) SUBTRACT \$7,190,096 FROM THE SUM OF ALL THE LOCAL SHARE
11 AMOUNTS CALCULATED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION; AND~~

~~12 (II) FOR EACH COUNTY, MULTIPLY THE AMOUNT CALCULATED
13 UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION BY A FACTOR, ROUNDED TO SEVEN
14 DECIMAL PLACES, THE NUMERATOR OF WHICH IS THE RESULT OF THE
15 CALCULATION IN ITEM (I) OF THIS PARAGRAPH AND THE DENOMINATOR OF WHICH
16 IS THE SUM OF ALL THE LOCAL SHARE AMOUNTS CALCULATED UNDER PARAGRAPH
17 (2)(III) OF THIS SUBSECTION.~~

~~18 (J) SUBJECT TO SUBSECTION (K) OF THIS SECTION, FOR EACH COUNTY, THE
19 LOCAL SHARE IS THE AMOUNT REQUIRED UNDER SUBSECTION (I)(3)(II) OF THIS
20 SECTION.~~

~~21 (K) (1) FOR FISCAL YEARS 2007 THROUGH 2011, IF THE SUM OF ALL THE
22 REQUIRED LOCAL SHARE AMOUNTS CALCULATED UNDER SUBSECTION (J) OF THIS
23 SECTION EXCEEDS THE LOCAL PHASE IN AMOUNT FOR THE FISCAL YEAR, THEN THE
24 AMOUNT OF THE LOCAL SHARE REQUIRED SHALL BE ADJUSTED FOR EACH COUNTY
25 AS CALCULATED IN PARAGRAPH (2) OF THIS SUBSECTION.~~

~~26 (2) THE LOCAL SHARE REQUIRED FOR EACH COUNTY AS CALCULATED
27 UNDER SUBSECTION (J) OF THIS SECTION IS MULTIPLIED BY A FACTOR ROUNDED TO
28 SEVEN DECIMAL PLACES, THE NUMERATOR OF WHICH IS THE LOCAL PHASE IN
29 AMOUNT FOR THE FISCAL YEAR AND THE DENOMINATOR OF WHICH IS THE SUM OF
30 ALL THE REQUIRED LOCAL SHARE AMOUNTS CALCULATED UNDER SUBSECTION (J)
31 OF THIS SECTION.~~

~~32 (L) A COUNTY'S TOTAL LOCAL SHARE MAY INCLUDE CONTRIBUTIONS FROM
33 PRIVATE DONORS AND THE FEDERAL GOVERNMENT.~~

~~34 (M) (1) THE DEPARTMENT SHALL DISTRIBUTE COMPETITIVE STATE ADULT
35 EDUCATION GRANTS FOR ADULT EDUCATION AND LITERACY SERVICES IN
36 ACCORDANCE WITH THE STATE PLAN FOR ADULT EDUCATION AND FAMILY
37 LITERACY.~~

~~38 (2) THE GRANTS DISTRIBUTED UNDER THIS SECTION SHALL BE BASED
39 ON NEED AND PERFORMANCE.~~

1 ~~(3) GRANTS UNDER THIS SECTION MAY BE USED FOR ADULT~~
 2 ~~EDUCATION AND LITERACY SERVICES, INCLUDING:~~

3 ~~(I) GED INSTRUCTION;~~

4 ~~(II) THE MARYLAND ADULT EXTERNAL HIGH SCHOOL PROGRAM~~
 5 ~~UNDER § 7-205.1 OF THIS ARTICLE;~~

6 ~~(III) ENGLISH FOR SPEAKERS OF OTHER LANGUAGES;~~

7 ~~(IV) FAMILY LITERACY; AND~~

8 ~~(V) BASIC SKILLS AND LITERACY INSTRUCTION.~~

9 ~~(N) THE STATE BOARD SHALL ADOPT REGULATIONS NECESSARY TO~~
 10 ~~IMPLEMENT THIS SECTION.~~

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

13 **Article - Education**

14 5-218.

15 (a) (1) The Department shall distribute competitive grants for adult
 16 education and literacy services in accordance with the State Plan for Adult Education
 17 and Family Literacy.

18 (2) The grants distributed under this section shall be based on need and
 19 performance.

20 (3) Grants under this section may be used for adult education and
 21 literacy services, including:

22 (i) GED instruction;

23 (ii) The Maryland Adult External High School Program under §
 24 7-205.1 of this article;

25 (iii) English for Speakers of Other Languages;

26 (iv) Family literacy; and

27 (v) Basic skills and literacy instruction.

28 (b) (1) Subject to paragraph (2) of this subsection, funding for the
 29 competitive grants under this section shall be as provided in the State budget.

30 (2) (I) In fiscal [years 2007 and 2008] YEAR 2007, the Governor shall
 31 include an appropriation in the State budget equal to an increase of \$1,500,000 over
 32 the fiscal year 2005 appropriation for the Department to distribute as Literacy Works

1 grants in order to reduce the waiting list for adult education and literacy services to
2 the extent possible.

3 (II) IN FISCAL YEAR 2008, THE GOVERNOR SHALL INCLUDE AN
4 APPROPRIATION IN THE STATE BUDGET EQUAL TO AN INCREASE OF \$1,500,000 OVER
5 THE FISCAL YEAR 2007 APPROPRIATION FOR THE DEPARTMENT TO DISTRIBUTE AS
6 LITERACY WORKS GRANTS FOR ADULT EDUCATION AND LITERACY SERVICES.

7 SECTION ~~3~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect July 1, 2006.