
By: **Senators Ruben, Britt, DeGrange, Exum, Forehand, Frosh, Garagiola, Giannetti, Green, Grosfeld, Hogan, Hollinger, Jones, Kasemeyer, Klausmeier, Kramer, Lawlah, Pinsky, Stone, and Teitelbaum**

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Assigned to: Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: March 22, 2006

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of altering the total amount of grants that may be distributed to
5 certain community colleges in order to provide instruction and services to
6 certain students enrolled in English for Speakers of Other Languages programs;
7 and generally relating to grants for community colleges for English for Speakers
8 of Other Languages programs.

9 BY repealing and reenacting, with amendments,
10 Article - Education
11 Section 16-305(e)
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2005 Supplement)

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 16-305.

18 (e) (1) (i) Beginning in fiscal year 1996, a grant in the amount provided in
19 paragraph (2) of this subsection shall be distributed to each board in order to provide
20 instruction and services to students enrolled in an English for Speakers of Other
21 Languages ("ESOL") program.

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

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

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

14 (ii) 1. The total amount of the grants under this paragraph may
15 not exceed [\$2,500,000] \$6,000,000 for any fiscal year.

16 2. If, for any fiscal year, the total amount of the grants
17 calculated under subparagraph (i) of this paragraph would exceed [\$2,500,000]
18 \$6,000,000, then each grant shall be prorated by the amount necessary to reduce the
19 total amount of the grants to [\$2,500,000] \$6,000,000.

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

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

27 (4) Subject to the provisions of paragraph (2) of this subsection, for any
28 fiscal year in which the State appropriation is insufficient to fully fund all grants
29 eligible under this section, the Governor shall include in the budget bill for the
30 following fiscal year a deficiency appropriation to fund all unfunded grants.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 June 1, 2006.

