

HOUSE BILL 978

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8lr2272
CF SB 647

By: **Delegates Hixson, Bartlett, Barve, Cardin, Doory, Elmore, Frick, Gilchrist, Howard, Ivey, Jennings, Kaiser, Olszewski, Rice, Ross, Stukes, F. Turner, and Walker**

Introduced and read first time: February 7, 2008

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Funding Formula for Adult Education and Literacy Grants**

3 FOR the purpose of requiring the State Department of Education to provide
4 competitive adult education grants beginning in a certain fiscal year for certain
5 eligible adult education providers; requiring that funding for State adult
6 education grants shall be provided in the State budget; providing for the
7 manner of calculation of the amount of a certain State adult education grant
8 available for each county for distribution to certain adult education providers;
9 providing for an adjustment to the State adult education grant to reflect
10 regional differences in the cost of education due to certain factors; providing for
11 a certain minimum adult education provider adjustment amount to certain
12 adult education providers under certain circumstances; providing for a certain
13 small program adjustment amount for certain adult education providers under
14 certain circumstances; providing for the calculation of the total State adult
15 education grant amount available to the counties under certain circumstances;
16 providing for a certain phase-in of the total State adult education grant
17 amounts available for certain fiscal years under certain circumstances;
18 requiring that a county provide a certain local share of funding for adult
19 education programs in order to be eligible to receive a State adult education
20 grant; providing for the manner of calculation of certain county contributions
21 for adult education funding; providing that a county's local contribution to adult
22 education program funding may include certain contributions of private donors
23 and the federal government; requiring the State Department of Education to
24 distribute competitive grants for certain adult education and literacy services in
25 accordance with the State Plan for Adult Education and Family Literacy;
26 requiring that certain State grants for adult education programs be based on
27 need and performance; requiring the State Board of Education to adopt certain
28 regulations; providing for a delayed effective date; defining certain terms; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 generally relating to establishing a funding formula for adult education and
2 literacy services.

3 BY repealing

4 Article – Education

5 Section 5–218

6 Annotated Code of Maryland

7 (2006 Replacement Volume and 2007 Supplement)

8 BY adding to

9 Article – Education

10 Section 5–218

11 Annotated Code of Maryland

12 (2006 Replacement Volume and 2007 Supplement)

13 Preamble

14 WHEREAS, The economy of Maryland requires an educated workforce to be
15 competitive with other states; and

16 WHEREAS, BRAC will bring 40,000 to 60,000 jobs to Maryland and our
17 residents need the skills to qualify for the jobs; and

18 WHEREAS, Almost 1,000,000 out-of-school youth and adults need a high
19 school diploma, need to learn to communicate in English, or need to improve basic
20 literacy skills; and

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

24 WHEREAS, 44% of adults with below basic literacy skills are not in the labor
25 force; and

26 WHEREAS, Maryland provides adult education and literacy services to only
27 3% to 4% of the target population; and

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

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

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

34 WHEREAS, The State Superintendent of Schools appointed the
35 Superintendent's Panel on Excellence in Adult Education with leadership from the

1 business community, labor, primary and secondary education, higher education, local
2 government, community organizations, and adult education providers to study the
3 issue and provide advice on a funding formula; and

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

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

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

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

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

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

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That Sections(s) 5-218 of Article – Education of the Annotated Code of
23 Maryland be repealed.

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

26 **Article – Education**
27 **5-218.**

28 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
29 MEANINGS INDICATED.

30 (2) "ADULT EDUCATION PROVIDER" MEANS A GRANTEE
31 SELECTED BY A COMPETITIVE GRANT PROCESS CONDUCTED BY THE
32 DEPARTMENT.

33 (3) "BASE PER FULL-TIME EQUIVALENT ENROLLMENT AMOUNT"
34 MEANS:

1 (I) \$2,004 FOR FISCAL YEAR 2010; AND

2 (II) FOR FISCAL YEAR 2011 AND EACH FISCAL YEAR
3 THEREAFTER:

4 1. THE BASE PER FULL-TIME EQUIVALENT
5 ENROLLMENT AMOUNT FOR THE PRIOR FISCAL YEAR INCREASED BY THE SAME
6 PERCENTAGE AS THE PERCENTAGE USED IN § 5-202(A)(13)(II) OF THIS
7 SUBTITLE TO CALCULATE THE TARGET PER PUPIL FOUNDATION AMOUNT FOR
8 THE SECOND PRIOR FISCAL YEAR; OR

9 2. IF THERE IS NO INCREASE IN THE IMPLICIT PRICE
10 DEFLATOR FOR STATE AND LOCAL GOVERNMENT EXPENDITURES FOR THE
11 SECOND PRIOR FISCAL YEAR OR IN THE CONSUMER PRICE INDEX FOR ALL
12 URBAN CONSUMERS FOR THE WASHINGTON-BALTIMORE METROPOLITAN AREA,
13 OR ANY SUCCESSOR INDEX, FOR THE SECOND PRIOR FISCAL YEAR, THE BASE
14 PER FULL-TIME EQUIVALENT ENROLLMENT AMOUNT FOR THE PRIOR FISCAL
15 YEAR.

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

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

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

27 (6) "LOCAL PHASE-IN AMOUNT" MEANS:

28 (I) \$5,000,000 IN FISCAL YEAR 2010;

29 (II) \$10,000,000 IN FISCAL YEAR 2011;

30 (III) \$15,000,000 IN FISCAL YEAR 2012; AND

31 (IV) \$20,000,000 IN FISCAL YEAR 2013.

1 (7) **“LOCAL SHARE” MEANS THE MINIMUM LEVEL OF A COUNTY’S**
2 **CONTRIBUTION TO ADULT EDUCATION PROGRAM FUNDING AS CALCULATED**
3 **UNDER 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**
6 **THE POPULATION FOR THAT COUNTY.**

7 (9) **“MAXIMUM FULL-TIME EQUIVALENT ENROLLMENT**
8 **EXPOSURE” MEANS THE STATEWIDE POPULATION MULTIPLIED BY A FACTOR,**
9 **THE NUMERATOR OF WHICH IS 40,000 AND THE DENOMINATOR OF WHICH IS**
10 **5,441,531.**

11 (10) **“POPULATION” HAS THE MEANING STATED IN § 23-501 OF**
12 **THIS ARTICLE.**

13 (11) **“STATE PHASE-IN AMOUNT” MEANS:**

14 (I) **\$8,853,622 IN FISCAL YEAR 2010;**

15 (II) **\$13,853,622 IN FISCAL YEAR 2011;**

16 (III) **\$18,853,622 IN FISCAL YEAR 2012; AND**

17 (IV) **\$23,853,622 IN FISCAL YEAR 2013.**

18 (12) **“STATEWIDE WEALTH PER CAPITA” MEANS THE SUM OF THE**
19 **WEALTH FOR ALL COUNTIES DIVIDED BY THE SUM OF THE POPULATION FOR ALL**
20 **COUNTIES.**

21 (13) **“TOTAL WEIGHTED FULL-TIME EQUIVALENT ENROLLMENT”**
22 **MEANS:**

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

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

1 OF THE ADULT EDUCATION PROVIDER ENROLLMENT FIGURES CALCULATED IN
2 ITEM (I) OF THIS PARAGRAPH.

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

5 (15) "WEIGHTED FULL-TIME EQUIVALENT ENROLLMENT" MEANS
6 THE TOTAL FULL-TIME EQUIVALENT ENROLLMENT FOR AN ADULT EDUCATION
7 PROVIDER IN EACH OF THE FOLLOWING GROUPS, MULTIPLIED BY:

8 (I) 1.05 FOR ADULT BASIC EDUCATION STUDENTS;

9 (II) 0.80 FOR ADULT SECONDARY EDUCATION STUDENTS;

10 (III) 1.07 FOR ENGLISH AS A SECOND LANGUAGE STUDENTS
11 WITH NATIONAL ADULT LITERACY SURVEY LEVELS 1 OR 2; AND

12 (IV) 0.74 FOR ENGLISH AS A SECOND LANGUAGE STUDENTS
13 WITH NATIONAL ADULT LITERACY SURVEY LEVEL 3.

14 (B) (1) FOR FISCAL YEAR 2010 AND EACH FISCAL YEAR THEREAFTER,
15 THE DEPARTMENT SHALL PROVIDE COMPETITIVE ADULT EDUCATION GRANTS
16 TO ELIGIBLE LOCAL ADULT EDUCATION PROVIDERS.

17 (2) FUNDING FOR THE STATE ADULT EDUCATION GRANTS UNDER
18 THIS SECTION SHALL BE PROVIDED IN THE STATE BUDGET.

19 (C) (1) THE AMOUNT OF THE ANNUAL STATE ADULT EDUCATION
20 GRANT AVAILABLE FOR EACH COUNTY FOR DISTRIBUTION TO ADULT
21 EDUCATION PROVIDERS SHALL BE CALCULATED AS PROVIDED IN THIS
22 SUBSECTION.

23 (2) FOR EACH COUNTY:

24 (I) MULTIPLY THE TOTAL WEIGHTED FULL-TIME
25 EQUIVALENT ENROLLMENT BY THE BASE PER FULL-TIME EQUIVALENT
26 ENROLLMENT AMOUNT;

27 (II) MULTIPLY THE RESULT OBTAINED IN ITEM (I) OF THIS
28 PARAGRAPH BY 0.5;

29 (III) DIVIDE THE RESULT CALCULATED IN ITEM (II) OF THIS
30 PARAGRAPH BY THE RATIO, ROUNDED TO SEVEN DECIMAL PLACES, OF LOCAL
31 WEALTH PER CAPITA TO STATEWIDE WEALTH PER CAPITA; AND

1 (IV) MULTIPLY THE RESULT CALCULATED IN ITEM (III) OF
2 THIS PARAGRAPH FOR THE COUNTY BY THE RESULT, ROUNDED TO SEVEN
3 DECIMAL PLACES, WHICH RESULTS FROM DIVIDING AN AMOUNT EQUAL TO THE
4 SUM OF EACH OF THE RESULTS OF THE CALCULATIONS IN ITEM (II) OF THIS
5 PARAGRAPH BY AN AMOUNT EQUAL TO THE SUM OF EACH OF THE RESULTS OF
6 THE CALCULATIONS IN ITEM (III) OF THIS PARAGRAPH.

7 (D) THE AMOUNT CALCULATED IN SUBSECTION (C)(2)(IV) OF THIS
8 SECTION SHALL BE ADJUSTED FOR EACH COUNTY AS FOLLOWS:

9 (1) MULTIPLY THE AMOUNT CALCULATED IN SUBSECTION
10 (C)(2)(I) OF THIS SECTION BY THE GEOGRAPHIC COST OF EDUCATION INDEX
11 ADJUSTMENT FACTOR; AND

12 (2) ADD THE AMOUNT CALCULATED IN ITEM (1) OF THIS
13 SUBSECTION TO THE AMOUNT CALCULATED IN SUBSECTION (C)(2)(IV) OF THIS
14 SECTION.

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

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

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

34 (G) (1) SUBJECT TO SUBSECTION (H) OF THIS SECTION, THE TOTAL
35 STATE ADULT EDUCATION GRANT AMOUNT AVAILABLE FOR A COUNTY IS THE

1 SUM OF THE AMOUNTS AS CALCULATED UNDER SUBSECTIONS (D)(2), (E), AND
2 (F) OF THIS SECTION.

3 (2) ANY ADDITIONAL STATE FUNDING PROVIDED BY THIS GRANT
4 IN EXCESS OF THE AMOUNT PROVIDED IN FISCAL YEAR 2009 MAY NOT BE USED
5 TO SUPPLANT THE LOCAL SHARE PROVIDED TO THE PROGRAM.

6 (H) (1) (I) FOR FISCAL YEARS 2010 THROUGH 2014, IF THE TOTAL
7 STATE ADULT EDUCATION GRANT AMOUNTS AVAILABLE EXCEEDS THE STATE
8 PHASE-IN AMOUNT FOR THAT FISCAL YEAR, THEN THE AMOUNT OF THE GRANT
9 SHALL BE ADJUSTED FOR EACH COUNTY AS DESCRIBED IN SUBPARAGRAPH (II)
10 OF THIS PARAGRAPH.

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

17 (2) (I) FOR FISCAL YEAR 2010 ONLY, IF THE AMOUNT
18 CALCULATED FOR ANY COUNTY IN PARAGRAPH (1) OF THIS SUBSECTION IS LESS
19 THAN THE TOTAL AMOUNT OF THE STATE ADULT EDUCATION GRANTS
20 PROVIDED TO THAT COUNTY IN FISCAL YEAR 2009, THEN THE STATE GRANT
21 AMOUNT AVAILABLE FOR THAT COUNTY SHALL BE THE TOTAL AMOUNT OF THE
22 STATE ADULT EDUCATION GRANTS PROVIDED TO THAT COUNTY IN FISCAL YEAR
23 2009.

24 (II) FOR FISCAL YEAR 2011 AND EACH FISCAL YEAR
25 THEREAFTER, IF THE AMOUNT CALCULATED FOR ANY COUNTY IN PARAGRAPH
26 (1) OF THIS SUBSECTION IS LESS THAN THE AMOUNT CALCULATED IN
27 PARAGRAPH (1) OF THIS SUBSECTION FOR THAT COUNTY IN THE PRIOR FISCAL
28 YEAR, THEN THE STATE GRANT AMOUNT AVAILABLE FOR THAT COUNTY SHALL
29 BE THE AMOUNT CALCULATED IN PARAGRAPH (1) OF THIS SUBSECTION FOR
30 THAT COUNTY IN THE PRIOR FISCAL YEAR.

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

34 (2) (I) THE LOCAL SHARE IS CALCULATED FOR EACH COUNTY
35 AS PROVIDED IN THIS PARAGRAPH.

1 (II) SUBJECT TO SUBPARAGRAPHS (III) AND (IV) OF THIS
2 PARAGRAPH, SUBTRACT THE RESULT CALCULATED UNDER SUBSECTION
3 (C)(2)(IV) OF THIS SECTION FROM THE RESULT CALCULATED UNDER
4 SUBSECTION (C)(2)(I) OF THIS SECTION.

5 (III) IF THE RESULT OF THE CALCULATION IN
6 SUBPARAGRAPH (II) OF THIS PARAGRAPH IS GREATER THAN THE PRODUCT OF
7 THE RESULT CALCULATED UNDER SUBSECTION (C)(2)(I) OF THIS SECTION
8 MULTIPLIED BY 0.6, THEN THE LOCAL SHARE IS THE PRODUCT OF THE RESULT
9 CALCULATED UNDER SUBSECTION (C)(2)(I) OF THIS SECTION MULTIPLIED BY
10 0.6.

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

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

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

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

22 (J) SUBJECT TO SUBSECTION (K) OF THIS SECTION, FOR EACH COUNTY,
23 THE LOCAL SHARE IS THE AMOUNT REQUIRED UNDER SUBSECTION (I)(3)(II) OF
24 THIS SECTION.

25 (K) (1) FOR FISCAL YEARS 2010 THROUGH 2014, IF THE SUM OF ALL
26 THE REQUIRED LOCAL SHARE AMOUNTS CALCULATED UNDER SUBSECTION (J)
27 OF THIS SECTION EXCEEDS THE LOCAL PHASE-IN AMOUNT FOR THE FISCAL
28 YEAR, THEN THE AMOUNT OF THE LOCAL SHARE REQUIRED SHALL BE
29 ADJUSTED FOR EACH COUNTY AS CALCULATED IN PARAGRAPH (2) OF THIS
30 SUBSECTION.

31 (2) THE LOCAL SHARE REQUIRED FOR EACH COUNTY AS
32 CALCULATED UNDER SUBSECTION (J) OF THIS SECTION IS MULTIPLIED BY A
33 FACTOR ROUNDED TO SEVEN DECIMAL PLACES, THE NUMERATOR OF WHICH IS
34 THE LOCAL PHASE-IN AMOUNT FOR THE FISCAL YEAR AND THE DENOMINATOR
35 OF WHICH IS THE SUM OF ALL THE REQUIRED LOCAL SHARE AMOUNTS
36 CALCULATED UNDER SUBSECTION (J) OF THIS SECTION.

1 **(L) A COUNTY'S TOTAL LOCAL SHARE MAY INCLUDE CONTRIBUTIONS**
2 **FROM PRIVATE DONORS AND THE FEDERAL GOVERNMENT.**

3 **(M) (1) THE DEPARTMENT SHALL DISTRIBUTE COMPETITIVE STATE**
4 **ADULT EDUCATION GRANTS FOR ADULT EDUCATION AND LITERACY SERVICES**
5 **IN ACCORDANCE WITH THE STATE PLAN FOR ADULT EDUCATION AND FAMILY**
6 **LITERACY.**

7 **(2) THE GRANTS DISTRIBUTED UNDER THIS SECTION SHALL BE**
8 **BASED ON NEED AND PERFORMANCE.**

9 **(3) GRANTS UNDER THIS SECTION MAY BE USED FOR ADULT**
10 **EDUCATION AND LITERACY SERVICES, INCLUDING:**

11 **(I) GED INSTRUCTION;**

12 **(II) THE MARYLAND ADULT EXTERNAL HIGH SCHOOL**
13 **PROGRAM UNDER § 7-205.1 OF THIS ARTICLE;**

14 **(III) ENGLISH FOR SPEAKERS OF OTHER LANGUAGES;**

15 **(IV) FAMILY LITERACY; AND**

16 **(V) BASIC SKILLS AND LITERACY INSTRUCTION.**

17 **(N) THE STATE BOARD SHALL ADOPT REGULATIONS NECESSARY TO**
18 **IMPLEMENT THIS SECTION.**

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 2009.