

SENATE BILL 647

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By: **Senators Kasemeyer, King, Middleton, Pugh, and Rosapepe**

Introduced and read first time: February 1, 2008

Assigned to: Budget and Taxation

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
29 generally relating to establishing a funding formula for adult education and
30 literacy services.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing
2 Article – Education
3 Section 5–218
4 Annotated Code of Maryland
5 (2006 Replacement Volume and 2007 Supplement)

6 BY adding to
7 Article – Education
8 Section 5–218
9 Annotated Code of Maryland
10 (2006 Replacement Volume and 2007 Supplement)

11 Preamble

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

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

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

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

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

24 WHEREAS, Maryland provides adult education and literacy services to only
25 3% to 4% of the target population; and

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

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

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

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

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

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

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

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

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

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

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

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

23 **Article – Education**
24 **5-218.**

25 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
26 MEANINGS INDICATED.

27 (2) “ADULT EDUCATION PROVIDER” MEANS A GRANTEE
28 SELECTED BY A COMPETITIVE GRANT PROCESS CONDUCTED BY THE
29 DEPARTMENT.

30 (3) “BASE PER FULL-TIME EQUIVALENT ENROLLMENT AMOUNT”
31 MEANS:

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

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

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

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

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

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

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

26 **(6) “LOCAL PHASE-IN AMOUNT” MEANS:**

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

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

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

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

31 **(7) “LOCAL SHARE” MEANS THE MINIMUM LEVEL OF A COUNTY’S**
32 **CONTRIBUTION TO ADULT EDUCATION PROGRAM FUNDING AS CALCULATED**
33 **UNDER THIS SECTION.**

1 **(8) “LOCAL WEALTH PER CAPITA” MEANS THE WEALTH FOR THE**
2 **COUNTY IN WHICH AN ADULT EDUCATION PROVIDER IS LOCATED DIVIDED BY**
3 **THE POPULATION FOR THAT COUNTY.**

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

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

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

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

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

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

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

15 **(12) “STATEWIDE WEALTH PER CAPITA” MEANS THE SUM OF THE**
16 **WEALTH FOR ALL COUNTIES DIVIDED BY THE SUM OF THE POPULATION FOR ALL**
17 **COUNTIES.**

18 **(13) “TOTAL WEIGHTED FULL-TIME EQUIVALENT ENROLLMENT”**
19 **MEANS:**

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

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

1 (14) **“WEALTH” HAS THE MEANING STATED IN § 5-202(A) OF THIS**
2 **SUBTITLE.**

3 (15) **“WEIGHTED FULL-TIME EQUIVALENT ENROLLMENT” MEANS**
4 **THE TOTAL FULL-TIME EQUIVALENT ENROLLMENT FOR AN ADULT EDUCATION**
5 **PROVIDER IN EACH OF THE FOLLOWING GROUPS, MULTIPLIED BY:**

6 (I) **1.05 FOR ADULT BASIC EDUCATION STUDENTS;**

7 (II) **0.80 FOR ADULT SECONDARY EDUCATION STUDENTS;**

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

10 (IV) **0.74 FOR ENGLISH AS A SECOND LANGUAGE STUDENTS**
11 **WITH NATIONAL ADULT LITERACY SURVEY LEVEL 3.**

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

15 (2) **FUNDING FOR THE STATE ADULT EDUCATION GRANTS UNDER**
16 **THIS SECTION SHALL BE PROVIDED IN THE STATE BUDGET.**

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

21 (2) **FOR EACH COUNTY:**

22 (I) **MULTIPLY THE TOTAL WEIGHTED FULL-TIME**
23 **EQUIVALENT ENROLLMENT BY THE BASE PER FULL-TIME EQUIVALENT**
24 **ENROLLMENT AMOUNT;**

25 (II) **MULTIPLY THE RESULT OBTAINED IN ITEM (I) OF THIS**
26 **PARAGRAPH BY 0.5;**

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

30 (IV) **MULTIPLY THE RESULT CALCULATED IN ITEM (III) OF**
31 **THIS PARAGRAPH FOR THE COUNTY BY THE RESULT, ROUNDED TO SEVEN**

1 DECIMAL PLACES, WHICH RESULTS FROM DIVIDING AN AMOUNT EQUAL TO THE
2 SUM OF EACH OF THE RESULTS OF THE CALCULATIONS IN ITEM (II) OF THIS
3 PARAGRAPH BY AN AMOUNT EQUAL TO THE SUM OF EACH OF THE RESULTS OF
4 THE CALCULATIONS IN ITEM (III) OF THIS PARAGRAPH.

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

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

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

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

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

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

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

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

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

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

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

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

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

32 **(2) (I) THE LOCAL SHARE IS CALCULATED FOR EACH COUNTY**
33 **AS PROVIDED IN THIS PARAGRAPH.**

34 **(II) SUBJECT TO SUBPARAGRAPHS (III) AND (IV) OF THIS**
35 **PARAGRAPH, SUBTRACT THE RESULT CALCULATED UNDER SUBSECTION**
36 **(C)(2)(IV) OF THIS SECTION FROM THE RESULT CALCULATED UNDER**
37 **SUBSECTION (C)(2)(I) OF THIS SECTION.**

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

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

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

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

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

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

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

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

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

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

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

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

9 **(I) GED INSTRUCTION;**

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

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

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

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

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

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