

# HOUSE BILL 415

F1  
HB 893/08 – W&M

0lr1352

---

By: **Delegates Barnes and Ross**  
Introduced and read first time: January 29, 2010  
Assigned to: Ways and Means

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Character Education Fund**

3 FOR the purpose of establishing the Character Education Fund in the State  
4 Department of Education; requiring the Governor to include a certain amount  
5 in the State budget each fiscal year for the Fund; establishing the grant  
6 eligibility requirements for the Fund; requiring the Department to adopt certain  
7 criteria for approving character education programs, decide whether to approve  
8 a proposed character education program by certain dates, make certain grant  
9 awards to county boards of education with approved character education  
10 programs by certain dates and in certain amounts, devote a certain amount of  
11 the Fund to certain activities, and establish certain reporting requirements;  
12 requiring the Department to report to the Governor and the General Assembly  
13 on or before certain dates; defining a certain term; and generally relating to the  
14 Character Education Fund in the State Department of Education.

15 BY adding to  
16 Article – Education  
17 Section 7–120  
18 Annotated Code of Maryland  
19 (2008 Replacement Volume and 2009 Supplement)

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

22 **Article – Education**

23 **7–120.**

24 (A) IN THIS SECTION, “FUND” MEANS THE CHARACTER EDUCATION  
25 FUND.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1           **(B)    THERE IS A CHARACTER EDUCATION FUND IN THE DEPARTMENT.**

2           **(C)    THE PURPOSE OF THE FUND IS TO ENCOURAGE COUNTY BOARDS TO**  
3 **FUND AND IMPLEMENT CHARACTER EDUCATION PROGRAMS.**

4           **(D)    THE DEPARTMENT SHALL ADMINISTER THE FUND.**

5           **(E)    (1)   THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**  
6 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

7                   **(2)   THE TREASURER SHALL HOLD THE FUND SEPARATELY, AND**  
8 **THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

9           **(F)    (1)   THE FUND CONSISTS OF:**

10                   **(I)    MONEY APPROPRIATED IN THE STATE BUDGET TO THE**  
11 **FUND;**

12                   **(II)   INVESTMENT EARNINGS OF THE FUND; AND**

13                   **(III) ANY OTHER MONEY FROM ANY OTHER SOURCE**  
14 **ACCEPTED FOR THE BENEFIT OF THE FUND.**

15                   **(2)   THE GOVERNOR SHALL INCLUDE \$100,000 IN THE STATE**  
16 **BUDGET EACH FISCAL YEAR FOR THE FUND.**

17           **(G)    THE FUND MAY BE USED ONLY:**

18                   **(1)   TO PROVIDE MATCHING GRANTS TO COUNTY BOARDS TO**  
19 **IMPLEMENT CHARACTER EDUCATION PROGRAMS APPROVED BY THE**  
20 **DEPARTMENT; AND**

21                   **(2)   TO PAY UP TO \$25,000 ANNUALLY FOR PROGRAM**  
22 **ADMINISTRATION, PROFESSIONAL DEVELOPMENT, AND TECHNICAL ASSISTANCE**  
23 **TO LOCAL SCHOOL SYSTEMS WITH CHARACTER EDUCATION PROGRAMS THAT**  
24 **RECEIVED GRANTS FROM THE FUND.**

25           **(H)    (1)   THE TREASURER SHALL INVEST THE MONEY OF THE FUND IN**  
26 **THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

27                   **(2)   ANY INVESTMENT EARNINGS OF THE FUND SHALL BE**  
28 **CREDITED TO THE FUND.**

1           (I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN  
2 ACCORDANCE WITH THE STATE BUDGET.

3           (J) TO BE ELIGIBLE TO RECEIVE A GRANT FROM THE FUND, A COUNTY  
4 BOARD SHALL SUBMIT A DESCRIPTION OF THE PROPOSED CHARACTER  
5 EDUCATION PROGRAM TO THE DEPARTMENT BY JUNE 1 PRECEDING THE  
6 SCHOOL YEAR IN WHICH THE CHARACTER EDUCATION PROGRAM WILL BE  
7 IMPLEMENTED.

8           (K) THE DEPARTMENT SHALL:

9                   (1) ADOPT CRITERIA FOR APPROVING CHARACTER EDUCATION  
10 PROGRAMS;

11                   (2) DECIDE WHETHER TO APPROVE A PROPOSED CHARACTER  
12 EDUCATION PROGRAM BY JULY 1 PRECEDING THE SCHOOL YEAR IN WHICH A  
13 CHARACTER EDUCATION PROGRAM WILL BE IMPLEMENTED;

14                   (3) AWARD, BY JULY 1 PRECEDING THE SCHOOL YEAR IN WHICH  
15 A CHARACTER EDUCATION PROGRAM WILL BE IMPLEMENTED, A GRANT TO THE  
16 FIVE COUNTY BOARDS WITH THE HIGHEST NUMBER OF STUDENT SUSPENSIONS  
17 DURING THE 2008–2009 SCHOOL YEAR AS REPORTED BY THE DEPARTMENT  
18 WITH AN APPROVED CHARACTER EDUCATION PROGRAM EQUAL TO THE LESSER  
19 OF:

20                           (I) THE AMOUNT OF MONEY THE FIVE ELIGIBLE COUNTY  
21 BOARDS HAVE APPROPRIATED FOR THE CHARACTER EDUCATION PROGRAM; OR

22                           (II) THE PRODUCT OF THE AMOUNT OF MONEY IN THE  
23 FUND AT THE START OF THE FISCAL YEAR AND THE PERCENTAGE OF THE  
24 NUMBER OF STUDENTS ENROLLED IN THE PUBLIC SCHOOLS OF THE ELIGIBLE  
25 FIVE COUNTIES IN THE STATE THAT ATTEND ELIGIBLE PUBLIC SCHOOLS IN THE  
26 COUNTY; AND

27                   (4) ESTABLISH REPORTING REQUIREMENTS THAT ARE ALIGNED  
28 WITH THE CRITERIA TO BE ESTABLISHED FOR CHARACTER EDUCATION  
29 PROGRAMS BY THE DEPARTMENT, INCLUDING, BUT NOT LIMITED TO, ACADEMIC  
30 ACHIEVEMENT, SCHOOL CLIMATE, AND THE DEVELOPMENT OF IDENTIFIED  
31 SOCIAL SKILLS.

32           (L) THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND TO THE  
33 GENERAL ASSEMBLY ON OR BEFORE NOVEMBER 1 OF EACH YEAR, IN  
34 ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON THE

1     **DISTRIBUTION OF GRANTS FROM THE FUND AND THE IMPACT OF THE GRANTS**  
2     **ON CHARACTER EDUCATION IN THE STATE FOR THE PRIOR SCHOOL YEAR.**

3             SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4     July 1, 2010.