

HOUSE BILL 1402

F1, O4

6lr1656
CF 6lr3483

By: **Delegates McIntosh, Chang, Cullison, Ebersole, Frick, Frush, Glenn, Haynes, Hill, Hixson, Jackson, Jalisi, Jones, Kaiser, Krimm, Lam, Luedtke, McCray, Morhaim, Pena–Melnyk, Turner, Valderrama, and Waldstreicher**

Introduced and read first time: February 12, 2016

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Maryland Extended Day and Summer Enhancement Programs Act**

3 FOR the purpose of establishing the Maryland Extended Day and Summer Enhancement
4 Program; requiring the State Department of Education (Department) to administer
5 the program and consult with the Department of Natural Resources under certain
6 circumstances; requiring the Department to develop a certain comprehensive plan
7 on or before a certain date; requiring the Department to review and update a certain
8 comprehensive plan annually; requiring the Department to use a certain framework
9 to monitor and assess the quality of certain extended day and summer enhancement
10 programs; establishing the Maryland Extended Day and Summer Enhancement
11 Grant in the Program; requiring the Department to administer the grant program
12 and establish certain policies for the administration of the grant program;
13 authorizing the Department to award certain grants to certain local education
14 agencies and certain nonprofit organizations to expand or create extended day and
15 summer enhancement programs or to establish certain new partnerships;
16 encouraging certain public schools to partner with certain nonprofit organizations to
17 extend certain day and summer enhancement programs; providing for the
18 qualification for a certain grant; providing for the allocation of a certain grant;
19 providing that certain applications shall receive priority; requiring the Department
20 to ensure that certain grantees will administer a certain grant under certain
21 circumstances; requiring the Governor to provide a certain annual appropriation in
22 the State budget for certain fiscal years; requiring grantees to provide certain
23 programs and ensure that certain programs contain an educational component;
24 requiring that certain educational programs are aligned with certain standards;
25 requiring certain grantees to provide certain matching funds; requiring the
26 Department to make a certain annual report on or before a certain date; requiring
27 the Department to adopt certain regulations; defining certain terms; and generally
28 relating to the Maryland Extended Day and Summer Enhancement Programs Act.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing

2 Article – Human Services

3 Section 8–1101 through 8–1107 and the subtitle “Subtitle 11. Maryland After–School
4 and Summer Opportunity Fund Program”

5 Annotated Code of Maryland

6 (2007 Volume and 2015 Supplement)

7 BY adding to

8 Article – Education

9 Section 7–1701 through 7–1706 to be under the new subtitle “Subtitle 17. Maryland
10 Extended Day and Summer Enhancement Program”

11 Annotated Code of Maryland

12 (2014 Replacement Volume and 2015 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That Section(s) 8–1101 through 8–1107 and the subtitle “Subtitle 11. Maryland
15 After–School and Summer Opportunity Fund Program” of Article – Human Services of the
16 Annotated Code of Maryland be repealed.

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

19 **Article – Education**

20 **SUBTITLE 17. MARYLAND EXTENDED DAY AND SUMMER ENHANCEMENT**
21 **PROGRAM.**

22 **7–1701.**

23 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
24 **INDICATED.**

25 **(B) “EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS” MEANS**
26 **EDUCATIONAL AND RECREATIONAL ENRICHMENT PROGRAMS FOR CHILDREN**
27 **BETWEEN THE AGES OF 4 AND 19 THAT TAKE PLACE:**

28 **(1) BEFORE AND AFTER THE SCHOOL DAY;**

29 **(2) ON WEEKENDS AND HOLIDAYS; AND**

30 **(3) DURING VACATIONS AND SUMMER BREAKS.**

31 **(C) “GRANTEE” MEANS A LOCAL EDUCATION AGENCY OR NONPROFIT**
32 **ORGANIZATION THAT RECEIVES A MARYLAND EXTENDED DAY AND SUMMER**
33 **ENHANCEMENT GRANT FROM THE DEPARTMENT.**

1 (D) "NONPROFIT ORGANIZATION" MEANS AN ORGANIZATION THAT IS
2 EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE.

3 (E) "PROGRAM" MEANS THE MARYLAND EXTENDED DAY AND SUMMER
4 ENHANCEMENT PROGRAM.

5 (F) "TECHNICAL ASSISTANCE" MEANS ASSISTANCE PROVIDED BY THE
6 DEPARTMENT TO:

7 (1) IDENTIFY AND IMPLEMENT EFFECTIVE PRACTICES FOR
8 EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS;

9 (2) ENSURE THAT EXTENDED DAY AND SUMMER ENHANCEMENT
10 PROGRAMS COMPLY WITH THE MARYLAND OUT-OF-SCHOOL TIME PROGRAMS'
11 QUALITY STANDARDS FRAMEWORK; AND

12 (3) ENSURE THAT EXTENDED DAY AND SUMMER ENHANCEMENT
13 PROGRAMS HAVE AN EDUCATIONAL COMPONENT THAT IS AGE APPROPRIATE AND
14 ALIGNED WITH THE MARYLAND COLLEGE AND CAREER READY STANDARDS.

15 7-1702.

16 (A) THERE IS A MARYLAND EXTENDED DAY AND SUMMER ENHANCEMENT
17 PROGRAM.

18 (B) (1) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

19 (2) THE DEPARTMENT SHALL CONSULT WITH THE DEPARTMENT OF
20 NATURAL RESOURCES WHEN REVIEWING THE RECREATIONAL COMPONENTS OF AN
21 EXTENDED DAY OR SUMMER ENHANCEMENT PROGRAM.

22 (C) (1) (I) ON OR BEFORE DECEMBER 1, 2016, THE DEPARTMENT, IN
23 CONSULTATION WITH THE DEPARTMENT OF NATURAL RESOURCES, SHALL
24 DEVELOP A COMPREHENSIVE PLAN FOR EXTENDED DAY OR SUMMER
25 ENHANCEMENT PROGRAMS.

26 (II) THE COMPREHENSIVE PLAN REQUIRED BY SUBPARAGRAPH
27 (I) OF THIS PARAGRAPH SHALL ADDRESS:

28 1. LEVERAGING PUBLIC AND PRIVATE FUNDING
29 SOURCES AS WELL AS FEDERAL FUNDING SOURCES TO SUPPORT EXTENDED DAY
30 AND SUMMER ENHANCEMENT PROGRAMS;

1 **2. THE SPECIAL NEEDS OF CHILDREN WITH**
2 **DISABILITIES;**

3 **3. USING SCHOOL BUILDINGS, PUBLIC LIBRARIES, AND**
4 **LOCAL PUBLIC TRANSPORTATION RESOURCES FOR EXTENDED DAY AND SUMMER**
5 **ENHANCEMENT PROGRAMS;**

6 **4. PROVIDING TECHNICAL ASSISTANCE TO NONPROFIT**
7 **ORGANIZATIONS;**

8 **5. EXPANDING THE NUMBER OF HIGH QUALITY**
9 **EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS IN THE STATE; AND**

10 **6. INTEGRATING THE PLANS DEVELOPED BY LOCAL**
11 **JURISDICTIONS TO EXPAND THE NUMBER OF HIGH QUALITY EXTENDED DAY AND**
12 **SUMMER ENHANCEMENT PROGRAMS.**

13 **(2) ON OR BEFORE DECEMBER 1, 2017, AND EACH YEAR**
14 **THEREAFTER, THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF**
15 **NATURAL RESOURCES, SHALL REVIEW AND UPDATE THE COMPREHENSIVE PLAN**
16 **REQUIRED IN PARAGRAPH (1)(I) OF THIS SUBSECTION.**

17 **(D) (1) THE DEPARTMENT SHALL USE THE MARYLAND OUT-OF-SCHOOL**
18 **TIME PROGRAMS' QUALITY STANDARDS FRAMEWORK TO MONITOR AND ASSESS**
19 **THE QUALITY OF THE EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS**
20 **PROVIDED BY NONPROFIT ORGANIZATIONS THAT RECEIVE FUNDING IN**
21 **ACCORDANCE WITH THIS SUBTITLE.**

22 **(2) THE MARYLAND OUT-OF-SCHOOL TIME PROGRAMS' QUALITY**
23 **STANDARDS FRAMEWORK DOES NOT SUPERSEDE APPLICABLE CHILD CARE CENTER**
24 **LICENSING REGULATIONS.**

25 **7-1703.**

26 **(A) THERE IS A MARYLAND EXTENDED DAY AND SUMMER ENHANCEMENT**
27 **GRANT IN THE PROGRAM.**

28 **(B) (1) THE DEPARTMENT SHALL DEVELOP AND ADMINISTER THE GRANT**
29 **PROGRAM TO ASSIST LOCAL EDUCATION AGENCIES AND NONPROFIT**
30 **ORGANIZATIONS IN EXPANDING OR CREATING EXTENDED DAY AND SUMMER**
31 **ENHANCEMENT PROGRAMS.**

1 **(2) THE DEPARTMENT SHALL ESTABLISH POLICIES AND**
2 **PROCEDURES FOR THE ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING:**

3 **(I) THE GRANT APPLICATION PROCESS; AND**

4 **(II) CRITERIA FOR AWARDING GRANTS UNDER THIS SUBTITLE.**

5 **(C) (1) A LOCAL EDUCATION AGENCY OR A NONPROFIT ORGANIZATION**
6 **MAY APPLY TO THE DEPARTMENT FOR A GRANT TO:**

7 **(I) EXPAND OR CREATE AN EXTENDED DAY AND SUMMER**
8 **ENHANCEMENT PROGRAM;**

9 **(II) EXPAND OR CREATE A SUMMER ENHANCEMENT PROGRAM;**
10 **OR**

11 **(III) ESTABLISH NEW EDUCATIONAL OR RECREATIONAL**
12 **PARTNERSHIPS WITH:**

13 **1. LOCAL PARKS AND RECREATION DEPARTMENTS;**

14 **2. RECREATION COUNCILS;**

15 **3. LOCAL PUBLIC SCHOOLS;**

16 **4. PUBLIC LIBRARIES;**

17 **5. INSTITUTIONS OF HIGHER EDUCATION;**

18 **6. PRIVATE SECTOR BUSINESSES; AND**

19 **7. OTHER NONPROFIT ORGANIZATIONS AND**
20 **FOUNDATIONS.**

21 **(2) A PUBLIC SCHOOL IS ENCOURAGED TO PARTNER WITH**
22 **NONPROFIT ORGANIZATIONS TO PROVIDE EXTENDED SCHOOL DAY AND SUMMER**
23 **ENHANCEMENT PROGRAMS FOR THEIR STUDENTS.**

24 **(D) (1) TO QUALIFY FOR A GRANT AWARDED IN ACCORDANCE WITH THIS**
25 **SUBTITLE, A GRANTEE SHALL PROVIDE EXTENDED DAY AND SUMMER**
26 **ENHANCEMENT PROGRAMS IN A COUNTY IN WHICH AT LEAST 50% OF PUBLIC**
27 **SCHOOL STUDENTS AS A PERCENTAGE OF FULL-TIME EQUIVALENT STUDENTS AS**

1 DEFINED IN § 5-202 OF THIS ARTICLE QUALIFY FOR A FREE LUNCH UNDER THE
2 NATIONAL SCHOOL LUNCH PROGRAM.

3 (2) THE TOTAL AMOUNT OF GRANTS AWARDED SHALL BE ALLOCATED
4 TO GRANTEEES PROPORTIONALLY BASED ON THE NUMBER OF PUBLIC SCHOOLS IN
5 EACH COUNTY THAT MEET THE ELIGIBILITY REQUIREMENT IN PARAGRAPH (1) OF
6 THIS SUBSECTION.

7 (E) (1) THE DEPARTMENT SHALL SELECT APPLICATIONS THAT:

8 (I) BEST INCORPORATE FEATURES THAT WILL HAVE A
9 POSITIVE MEASURABLE IMPACT ON THE CONDITIONS OF WELL-BEING FOR
10 CHILDREN AND YOUTH AS IDENTIFIED BY THE MARYLAND OUT-OF-SCHOOL TIME
11 PROGRAMS' QUALITY STANDARDS FRAMEWORK;

12 (II) FOR EXTENDED DAY PROGRAMS, BEST INTEGRATE AN
13 EDUCATIONAL COMPONENT THAT WILL ASSIST STUDENTS IN MEETING ACADEMIC
14 REQUIREMENTS ON GRADE LEVEL; AND

15 (III) FOR SUMMER ENHANCEMENT PROGRAMS:

16 1. PROVIDE LEARNING AND ENRICHMENT ACTIVITIES
17 THAT WILL ASSIST STUDENTS IN ACHIEVING AT OR ABOVE GRADE LEVEL IN THE
18 NEXT SCHOOL YEAR; AND

19 2. EXPOSE STUDENTS TO FUTURE LEARNING AND LIFE
20 OPPORTUNITIES.

21 (2) THE DEPARTMENT SHALL GIVE PRIORITY TO APPLICATIONS THAT
22 ILLUSTRATE THE ABILITY TO LEVERAGE PRIVATE AND EXISTING FUNDING SOURCES.

23 (F) (1) A GRANTEE THAT RECEIVES A GRANT UNDER THIS SUBTITLE
24 SHALL:

25 (I) PROVIDE EXTENDED SCHOOL DAY AND SUMMER
26 ENHANCEMENT PROGRAMS; AND

27 (II) ENSURE THAT AN EXTENDED SCHOOL DAY OR SUMMER
28 ENHANCEMENT PROGRAM INCLUDES AN EDUCATIONAL COMPONENT.

29 (2) A GRANTEE THAT RECEIVES A GRANT UNDER THIS SUBTITLE
30 SHALL PROVIDE EDUCATIONAL PROGRAMS THAT ARE ALIGNED WITH THE
31 MARYLAND COLLEGE AND CAREER-READY STANDARDS.

1 **(G) A LOCAL EDUCATION AGENCY THAT RECEIVES A GRANT UNDER THIS**
2 **SUBTITLE SHALL PROVIDE MATCHING FUNDS THAT ARE AT LEAST EQUAL TO THE**
3 **AMOUNT OF THE GRANT AWARDED.**

4 **(H) IF A GRANTEE PARTNERS WITH AN ENTITY LISTED IN SUBSECTION**
5 **(C)(1)(III) OF THIS SECTION, THE DEPARTMENT SHALL ENSURE THAT THE GRANTEE**
6 **ADMINISTERS ANY GRANTS AWARDED IN ACCORDANCE WITH THIS SUBTITLE.**

7 **7-1704.**

8 **FOR FISCAL YEARS 2018 THROUGH 2021, THE GOVERNOR SHALL INCLUDE**
9 **\$10,000,000 ANNUALLY IN THE STATE BUDGET FOR THE PROGRAM, 25% OF WHICH**
10 **SHALL BE MADE AVAILABLE FOR CAPITAL PURPOSES.**

11 **7-1705.**

12 **ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE DEPARTMENT SHALL**
13 **REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE**
14 **STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THE PROGRAM,**
15 **INCLUDING AN EVALUATION OF THE EFFECTIVENESS OF THE EXTENDED DAY AND**
16 **SUMMER ENHANCEMENT PROGRAMS FUNDED IN ACCORDANCE WITH THIS**
17 **SUBTITLE.**

18 **7-1706.**

19 **THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE**
20 **PROVISIONS OF THIS SUBTITLE.**

21 **SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
22 **1, 2016.**