

HOUSE BILL 1211

F1

3lr1797

By: **Delegate Smith**

Introduced and read first time: February 10, 2023

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Compensatory Education – Maryland Neighborhood Tier System**
3 **Calculation**

4 FOR the purpose of altering and adding certain definitions related to the calculation of the
5 compensatory education funding amount; requiring the State Department of
6 Education to monitor certain actions of county boards of education; requiring the
7 Department to establish the Maryland Neighborhood Tier System; and generally
8 relating to the Maryland Neighborhood Tier System.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 5–222
12 Annotated Code of Maryland
13 (2022 Replacement Volume)

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

16 **Article – Education**

17 5–222.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) (i) “Compensatory education enrollment” means:

20 1. Except as provided in subparagraph (iii) of this paragraph,
21 for fiscal years 2017 through 2026, the greater of:

22 A. The number of students eligible for free or reduced price
23 meals for the prior fiscal year;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 B. For county boards that participate, in whole or in part, in
2 the United States Department of Agriculture community eligibility provision, the number
3 of students equal to the greater of:

4 I. The sum of the number of students in participating schools
5 identified by direct certification for the prior fiscal year, plus the number of students
6 identified by the income information provided by the family to the school system on an
7 alternative form developed by the Department for the prior fiscal year, plus the number of
8 students eligible for free and reduced price meals from any schools not participating in the
9 community eligibility provision for the prior fiscal year; or

10 II. Subject to paragraph (3) of this subsection, the number of
11 students eligible for free and reduced price meals at schools not participating in the
12 community eligibility provision for the prior fiscal year, plus the product of the percentage
13 of students eligible for free and reduced price meals at participating schools for the fiscal
14 year prior to opting into the community eligibility provision multiplied by the prior fiscal
15 year enrollment; [or]

16 C. The number of students directly certified and who are
17 enrolled in a public school in the county in the prior fiscal year; [and] **OR**

18 **D. THE MARYLAND NEIGHBORHOOD TIER SYSTEM**
19 **TOTAL; AND**

20 2. For fiscal year 2027 and each fiscal year thereafter, the
21 greater of:

22 A. The number of students eligible for free or reduced price
23 meals using the United States Department of Agriculture count or the alternative State
24 form for the prior fiscal year; [or]

25 B. The number of direct certification students who are
26 enrolled in a public school in the county in the prior fiscal year; **OR**

27 **C. THE MARYLAND NEIGHBORHOOD TIER SYSTEM**
28 **TOTAL.**

29 (ii) For the purpose of the calculation under subparagraph (i)1BII of
30 this paragraph, the schools participating in the community eligibility provision during the
31 pilot year may use the percentage of students identified for free and reduced price meals
32 during the pilot year.

33 (iii) For the purpose of the calculation under subparagraph (i)1 of this
34 paragraph, direct certification multiplied by the multiplier may be used only for schools
35 that did not exist prior to the year the school system opted into the United States

1 Department of Agriculture community eligibility provision.

2 (3) “Compensatory education per pupil amount” means the following
3 proportions of the target per pupil foundation amount:

4 (i) For fiscal year 2022, 91%;

5 (ii) For fiscal year 2023, 89%;

6 (iii) For fiscal year 2024, 87%;

7 (iv) For fiscal year 2025, 86%;

8 (v) For fiscal year 2026, 85%;

9 (vi) For fiscal year 2027, 80%;

10 (vii) For fiscal year 2028, 78%;

11 (viii) For fiscal year 2029, 76%;

12 (ix) For fiscal year 2030, 76%;

13 (x) For fiscal year 2031, 75%;

14 (xi) For fiscal year 2032, 71%; and

15 (xii) For fiscal year 2033 and each fiscal year thereafter, 73%.

16 (4) “Direct certification” means the certification of the income eligibility of
17 a child under the following programs:

18 (i) Supplemental Nutrition Assistance Program;

19 (ii) Temporary Assistance for Needy Families;

20 (iii) Foster care;

21 (iv) Head Start;

22 (v) Even Start;

23 (vi) Migrant students;

24 (vii) Homeless students; and

25 (viii) Medicaid and the Maryland Children’s Health Program, up to

1 189% of the federal poverty level.

2 (5) "Eligible for free or reduced price meals" means eligible for free or
3 reduced price meals based on eligibility requirements established by the United States
4 Department of Agriculture.

5 (6) "MARYLAND NEIGHBORHOOD TIER SYSTEM STUDENT VALUE"
6 MEANS THE VALUE ASSIGNED TO EACH STUDENT BASED ON THE TIER TO WHICH THE
7 STUDENT IS ASSIGNED MULTIPLIED BY THE MARYLAND NEIGHBORHOOD TIER
8 SYSTEM TIER WEIGHT OF THAT TIER.

9 (7) "MARYLAND NEIGHBORHOOD TIER SYSTEM TIER WEIGHT"
10 MEANS THE WEIGHT ASSIGNED TO EACH TIER AS FOLLOWS:

11 (I) TIER 1, NON-ECONOMICALLY DISADVANTAGED – 0;

12 (II) TIER 1, ECONOMICALLY DISADVANTAGED – 0.90;

13 (III) TIER 2, NON-ECONOMICALLY DISADVANTAGED – 0;

14 (IV) TIER 2, ECONOMICALLY DISADVANTAGED – 1.00;

15 (V) TIER 3, NON-ECONOMICALLY DISADVANTAGED – 0.60;

16 (VI) TIER 3, ECONOMICALLY DISADVANTAGED – 1.10;

17 (VII) TIER 4, NON-ECONOMICALLY DISADVANTAGED – 0.70;

18 (VIII) TIER 4, ECONOMICALLY DISADVANTAGED – 1.20;

19 (IX) TIER 5, NON-ECONOMICALLY DISADVANTAGED – 0.80; AND

20 (X) TIER 5, ECONOMICALLY DISADVANTAGED – 1.30.

21 (8) "MARYLAND NEIGHBORHOOD TIER SYSTEM TOTAL" MEANS, FOR
22 EACH SCHOOL, THE TOTAL OF EACH STUDENT'S MARYLAND NEIGHBORHOOD TIER
23 SYSTEM VALUE.

24 (9) "MARYLAND NEIGHBORHOOD TIER SYSTEM VALUE" MEANS THE
25 VALUE ASSIGNED TO EACH TIER AS FOLLOWS:

26 (I) TIER 1 – 1;

27 (II) TIER 2 – 2;

1 (II) AVERAGE EDUCATIONAL ATTAINMENT OF THE
2 NEIGHBORHOOD POPULATION;

3 (III) PERCENTAGE OF SINGLE-PARENT HOUSEHOLDS;

4 (IV) RATE OF HOMEOWNERSHIP; AND

5 (V) ANY OTHER ECONOMIC CRITERIA DETERMINED BY THE
6 DEPARTMENT THAT MAY DETERMINE A STUDENT'S PREPAREDNESS AND ABILITY TO
7 LEARN.

8 (3) (I) EACH CENSUS BLOCK IN THE STATE SHALL BE ASSIGNED TO
9 A TIER.

10 (II) TIER 1 SHALL BE CENSUS BLOCKS WITH A HIGH
11 SOCIOECONOMIC STATUS AND TIER 4 SHALL BE CENSUS BLOCKS WITH A LOW
12 SOCIOECONOMIC STATUS AND HIGH POVERTY.

13 (III) EACH TIER SHALL HAVE TWO SUB-TIERS OF:

14 1. ECONOMICALLY DISADVANTAGED; AND

15 2. NON-ECONOMICALLY DISADVANTAGED.

16 (IV) THE DEPARTMENT SHALL ENSURE NOT MORE THAN
17 ONE-FIFTH OF THE TOTAL AMOUNT OF CENSUS BLOCKS IN THE STATE ARE IN A
18 TIER.

19 (V) THE DEPARTMENT SHALL DETERMINE THE TIER
20 PLACEMENT OF EACH STUDENT IN THE SCHOOL SYSTEM.

21 (VI) A CHILD EXPERIENCING HOMELESSNESS IS
22 AUTOMATICALLY IN TIER 5 ECONOMICALLY DISADVANTAGED.

23 (4) ON OR BEFORE DECEMBER 1 EACH YEAR, THE DEPARTMENT
24 SHALL PUBLICIZE THE NEIGHBORHOOD TIERS AND ASSOCIATED CALCULATIONS
25 AND METHODOLOGIES TO DETERMINE THE MARYLAND NEIGHBORHOOD TIER
26 SYSTEM TOTAL.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2023.