

SENATE BILL 810

F5, O4

3lr1134

By: **Senator A. Washington**

Introduced and read first time: February 6, 2023

Assigned to: Finance and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Priority Out-of-School Time Program – Alterations**

3 FOR the purpose of transferring the Public School Opportunities Enhancement Program
4 from the State Department of Education to the Governor’s Office of Crime
5 Prevention, Youth, and Victim Services and renaming the Program to be the
6 Maryland Priority Out-of-School Time Program; altering certain requirements for
7 awarding grants under the Program; altering the mandated appropriation to the
8 Program beginning in a certain fiscal year; and generally relating to the Maryland
9 Priority Out-of-School Time Program.

10 BY transferring

11 Article – Education

12 Section 7-1701 through 7-1706 and the subtitle “Subtitle 17. Public School
13 Opportunities Enhancement Program”

14 Annotated Code of Maryland

15 (2022 Replacement Volume)

16 to be

17 Article – Human Services

18 Section 8-1501 through 8-1506, respectively, and the subtitle “Subtitle 15.
19 Maryland Priority Out-of-School Time Program”

20 Annotated Code of Maryland

21 (2019 Replacement Volume and 2022 Supplement)

22 BY repealing and reenacting, without amendments,

23 Article – Human Services

24 Section 8-101(a) and (p)

25 Annotated Code of Maryland

26 (2019 Replacement Volume and 2022 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article – Human Services

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 8–1501 through 8–1503, 8–1505, and 8–1506
2 Annotated Code of Maryland
3 (2019 Replacement Volume and 2022 Supplement)
4 (As enacted by Section 1 of this Act)

5 BY repealing
6 Article – Human Services
7 Section 8–1504
8 Annotated Code of Maryland
9 (2019 Replacement Volume and 2022 Supplement)
10 (As enacted by Section 1 of this Act)

11 BY adding to
12 Article – Human Services
13 Section 8–1504
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2022 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That Section(s) 7–1701 through 7–1706 and the subtitle “Subtitle 17. Public School
18 Opportunities Enhancement Program” of Article – Education of the Annotated Code of
19 Maryland be transferred to be Section(s) 8–1501 through 8–1506, respectively, and the
20 subtitle “Subtitle 15. Maryland Priority Out–of–School Time Program” of Article – Human
21 Services of the Annotated Code of Maryland.

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

24 **Article – Human Services**

25 8–101.

26 (a) In this title the following words have the meanings indicated.

27 (p) “Office” means the Governor’s Office of Crime Prevention, Youth, and Victim
28 Services.

29 Subtitle 15. Maryland Priority Out–of–School Time Program.

30 8–1501.

31 (a) In this subtitle the following words have the meanings indicated.

32 (b) “Community school” means an existing public school in the State that utilizes
33 a community school strategy that is recognized by the Maryland Out of School Time
34 Network.

1 (c) ["Extended day and summer enhancement program" means an educational
2 and recreational enrichment program for children between the ages of 4 and 19 that takes
3 place:

4 (1) Before and after the school day;

5 (2) On weekends and holidays; and

6 (3) During vacations and summer breaks.

7 (d) "Grantee" means a local school system, a community school, or a nonprofit
8 organization that receives a [Public School Opportunities Enhancement] **MARYLAND**
9 **PRIORITY OUT-OF-SCHOOL TIME PROGRAM** Grant from the [Department] **OFFICE**.

10 [(e)] (D) "Nonprofit organization" means an organization that is exempt from
11 taxation under § 501(c)(3) of the Internal Revenue Code.

12 (E) "**PRIORITY OUT-OF-SCHOOL TIME PROGRAM**" MEANS AN EDUCATIONAL
13 AND RECREATIONAL ENRICHMENT PROGRAM FOR CHILDREN BETWEEN THE AGES
14 OF 4 AND 19 THAT TAKES PLACE:

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

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

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

18 (f) "Program" means the [Public School Opportunities Enhancement]
19 **MARYLAND PRIORITY OUT-OF-SCHOOL TIME** Program.

20 (g) "Technical assistance" means assistance provided by the Department to:

21 (1) [Identify] **IDENTIFY** and implement effective practices for [extended
22 day and summer enhancement] **PRIORITY OUT-OF-SCHOOL TIME** programs;

23 (2) [Ensure] **ENSURE** that [extended day and summer enhancement]
24 **PRIORITY OUT-OF-SCHOOL TIME** programs comply with the Maryland Out-of-School
25 Time Programs' Quality Standards Framework; and

26 (3) [Ensure] **ENSURE** that [extended day and summer enhancement]
27 **PRIORITY OUT-OF-SCHOOL TIME** programs have an educational component that is age
28 appropriate and aligned with the Maryland College and Career Ready standards.

1 (a) There is a [Public School Opportunities Enhancement] **MARYLAND**
2 **PRIORITY OUT-OF-SCHOOL TIME** Program.

3 (b) (1) The [Department] **OFFICE** shall administer the Program.

4 (2) The [Department] **OFFICE** shall consult with the Department of
5 Natural Resources when reviewing the recreational components of [an extended day and
6 summer enhancement] **A PRIORITY OUT-OF-SCHOOL TIME** program.

7 (c) (1) (i) On or before December 1, [2016] **2023**, the [Department]
8 **OFFICE** [, in consultation with the Department of Natural Resources,] shall develop a
9 comprehensive plan for [extended day and summer enhancement] **PRIORITY**
10 **OUT-OF-SCHOOL TIME** programs.

11 (ii) The comprehensive plan required by subparagraph (i) of this
12 paragraph shall address:

13 1. [Leveraging] **LEVERAGING** public and private funding
14 sources as well as federal funding sources to support [extended day and summer
15 enhancement] **PRIORITY OUT-OF-SCHOOL TIME** programs;

16 2. [The] **THE** special needs of children with disabilities;

17 3. [Using] **USING** school buildings, public libraries, and local
18 public transportation resources for [extended day and summer enhancement] **PRIORITY**
19 **OUT-OF-SCHOOL TIME** programs;

20 4. [Providing] **PROVIDING** technical assistance to nonprofit
21 organizations;

22 5. [Expanding] **EXPANDING** the number of high quality
23 [extended day and summer enhancement] **PRIORITY OUT-OF-SCHOOL TIME** programs
24 in the State; and

25 6. [Integrating] **INTEGRATING** the plans developed by local
26 jurisdictions to expand the number of high quality [extended day and summer
27 enhancement] **PRIORITY OUT-OF-SCHOOL TIME** programs.

28 (2) On or before December 1, 2017, and each year thereafter, the
29 [Department, in consultation with the Department of Natural Resources,] **OFFICE** shall
30 review and update the comprehensive plan required in paragraph (1)(i) of this subsection.

31 (d) (1) The [Department] **OFFICE** shall use the Maryland Out-of-School
32 Time Programs' Quality Standards Framework to monitor and assess the quality of the

1 [extended day and summer enhancement] **PRIORITY OUT-OF-SCHOOL TIME** programs
2 provided by nonprofit organizations that receive funding in accordance with this subtitle.

3 (2) The Maryland Out-of-School Time Programs' Quality Standards
4 Framework does not supersede applicable child care center licensing regulations.

5 8-1503.

6 (a) There is a [Public School Opportunities Enhancement] **MARYLAND**
7 **PRIORITY OUT-OF-SCHOOL TIME PROGRAM** Grant in the Program.

8 (b) (1) The [Department] **OFFICE** shall develop and administer the grant
9 program to assist:

10 (i) [Local] **LOCAL** school systems, community schools, and nonprofit
11 organizations in the State in expanding or creating [extended day and summer
12 enhancement] **PRIORITY OUT-OF-SCHOOL TIME** programs; and

13 (ii) [Nonprofit] **NONPROFIT** organizations in the State and
14 community schools in expanding or supporting existing educational programming during
15 the school day.

16 (2) (i) The [Department] **OFFICE** shall establish policies and
17 procedures for the administration of the grant program, including:

18 1. [The] **THE** grant application process; and

19 2. [Criteria] **CRITERIA** for awarding grants under this
20 subtitle.

21 (ii) When awarding grants to nonprofit organizations, the
22 [Department] **OFFICE** shall give priority to:

23 1. Maryland-based nonprofit organizations; and

24 2. [Nonprofit] **NONPROFIT** organizations operating in
25 Maryland on or before July 1, 2016.

26 (c) (1) A local school system, community school, or a nonprofit organization
27 may apply to the [Department] **OFFICE** for a grant to:

28 (i) [Expand] **EXPAND** or create [an extended day and summer
29 enhancement] **A PRIORITY OUT-OF-SCHOOL TIME** program; **OR**

30 (ii) [Expand or create a summer enhancement program; or

1 (iii) Establish] **ESTABLISH** new educational or recreational
2 partnerships with:

- 3 1. [Local] **LOCAL** parks and recreation departments;
- 4 2. [Recreation] **RECREATION** councils;
- 5 3. [Local] **LOCAL** public schools;
- 6 4. [Public] **PUBLIC** libraries;
- 7 5. [Institutions] **INSTITUTIONS** of higher education;
- 8 6. [Private] **PRIVATE** sector businesses; and
- 9 7. [Other] **OTHER** nonprofit organizations and foundations.

10 (2) A nonprofit organization may apply to the [Department] **OFFICE** for a
11 grant to support existing educational programming during the school day, including the
12 recruitment, training, and ongoing professional development of new teachers.

13 (3) A public school is encouraged to partner with nonprofit organizations
14 to provide [extended school day and summer enhancement] **PRIORITY OUT-OF-SCHOOL**
15 **TIME** programs for their students.

16 (d) (1) To qualify for a grant awarded in accordance with this subtitle, a
17 grantee shall provide the services listed in subsection (c) of this section in a county in which
18 at least [50%] **60%** of public school students as a percentage of full-time equivalent
19 students as defined in § [5-202 of this article] **5-201 OF THE EDUCATION ARTICLE**
20 qualify for a free lunch under the National School Lunch Program.

21 (2) The total amount of grants awarded shall be allocated to grantees
22 proportionally based on the number of public schools in each county that meet the eligibility
23 requirement in paragraph (1) of this subsection.

24 (e) (1) The [Department] **OFFICE** shall select applications that[:

25 (i) Best] **BEST** incorporate features that will have a positive
26 measurable impact on the conditions of well-being for children and youth as identified by
27 the Maryland Out-of-School Time Programs' Quality Standards Framework[;],
28 **INCLUDING:**

29 [(ii)] **(I)** [For extended day programs, best integrate]
30 **INTEGRATING** an educational component that will assist students in meeting academic
31 requirements on grade level;

1 [(iii)] (II) [For summer enhancement programs:

2 1. Provide] **PROVIDING** learning and enrichment activities
3 that will assist students in achieving at or above grade level in the next school year; [and]

4 [2.] (III) [Expose] **EXPOSING** students to future learning
5 and life opportunities; [and]

6 (iv) [For educational programming during the school day, enhance:

7 1. The] **ENHANCING THE** educational purpose of [the]
8 school; [or]

9 [2.] (V) [Students'] **ENHANCING STUDENTS'** access to
10 physical, social, and emotional support; **AND**

11 (VI) **PRIORITIZING AT-RISK YOUTH AND VIOLENCE**
12 **PREVENTION.**

13 (2) The [Department] **OFFICE** shall give priority to applications that
14 illustrate the ability to leverage private and existing funding sources.

15 (f) (1) A grantee that receives a grant under subsection (c)(1) of this section
16 shall ensure that [an extended school day or summer enhancement] **A PRIORITY**
17 **OUT-OF-SCHOOL TIME** program includes an educational component.

18 (2) A grantee that receives a grant under this subtitle shall provide
19 educational programs that are aligned with the Maryland College and Career-Ready
20 Standards.

21 (g) A local school system that receives a grant under this subtitle shall provide
22 matching funds that are at least equal to the amount of the grant awarded.

23 (h) If a grantee partners with an entity listed in subsection (c)(1)(iii) of this
24 section, the [Department] **OFFICE** shall ensure that the grantee administers any grants
25 awarded in accordance with this subtitle.

26 [8-1504.

27 (a) For fiscal year 2018, the Governor shall include in the annual budget bill an
28 appropriation of \$2,500,000 to the Program.

29 (b) (1) For fiscal year 2019 and each fiscal year thereafter, the Governor shall
30 include in the annual budget bill an appropriation of \$3,000,000 to the Program.

1 (2) A grantee that remains eligible for the Program shall receive a grant in
2 the next fiscal year in an amount equal to the grant amount in the current fiscal year.]

3 **8-1504.**

4 **FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE**
5 **GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF**
6 **\$8,500,000 TO THE PROGRAM.**

7 8-1505.

8 On or before December 31 of each year, the [Department] **OFFICE** shall report to
9 the General Assembly, in accordance with § 2-1257 of the State Government Article, on the
10 implementation of the Program, including an evaluation of the effectiveness of the
11 programs and services funded in accordance with this subtitle.

12 8-1506.

13 The [Department] **OFFICE** shall adopt regulations to carry out the provisions of this
14 subtitle.

15 **SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
16 **1, 2023.**