

HB0504/793326/1

BY: Delegate Nkongolo

AMENDMENTS TO HOUSE BILL 504
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “Fund;” insert “authorizing a school to use certain funds in a certain manner; providing that a certain State share for compensatory education shall be included in a certain foundation formula amount under certain circumstances;”.

On page 2, in line 24, after “5-206(f),” insert “5-212.”; and in the same line, after “5-213,” insert “5-222.”.

AMENDMENT NO. 2

On page 4, after line 20, insert:

“5-212.

(a) The target per pupil foundation amount includes costs associated with implementing the Blueprint for Maryland’s Future including:

(1) Increasing salaries;

(2) Additional teachers to provide professional learning and collaborative time for teachers;

(3) Career counseling;

(4) Behavioral health;

(5) Instructional opportunities for students who are college and career ready and those who are not;

(6) Maintenance and operation of schools;

(7) Supplies and materials for teachers; and

(8) Educational technology including digital devices, broadband connectivity, and information technology staff.

(b) (1) Schools may use funds provided under this section to provide the programs required under COMAR 13A.04.16.01.

(2) SCHOOLS MAY USE ANY AMOUNT DIVERTED FROM THE STATE SHARE FOR COMPENSATORY EDUCATION UNDER § 5-222(B)(1)(II) OF THIS SUBTITLE FOR ANY COSTS ASSOCIATED WITH IMPLEMENTING THE BLUEPRINT FOR MARYLAND'S FUTURE.

(c) (1) County boards of education and schools shall prioritize the purchase of digital devices for using funds under subsection (a)(8) of this section.

(2) Additional funds provided in the target per pupil foundation amount for educational technology are intended to supplement and not supplant existing funding provided for educational technology.

(3) (i) On or before November 15 each year, each county board shall submit a report to the Department detailing, for the previous fiscal year:

1. The amount spent by the local school system on technology disaggregated by digital devices, connectivity, and information technology staff; and

2. The percentage of students, teachers, and staff with digital devices and adequate connectivity in their homes in accordance with the Federal Communications Commission standards for broadband.

(ii) On or before December 15 each year, the Department shall submit to the General Assembly, in accordance with § 2-1257 of the State Government Article, a compilation of the reports submitted to the Department under subparagraph (i) of this paragraph.

(iii) On or before September 1, 2021, the Department shall establish uniform reporting requirements, including definitions to ensure that

consistent and comparable reports are submitted under subparagraph (i) of this paragraph.”.

On page 5, after line 27, insert:

“5-222.

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

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

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

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

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

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

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

C. The number of students directly certified and who are enrolled in a public school in the county in the prior fiscal year; and

(Over)

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

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

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

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

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

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

(i) For fiscal year 2022, 91%;

(ii) For fiscal year 2023, 89%;

(iii) For fiscal year 2024, 87%;

(iv) For fiscal year 2025, 86%;

(v) For fiscal year 2026, 85%;

(vi) For fiscal year 2027, 80%;

(vii) For fiscal year 2028, 78%;

(viii) For fiscal year 2029, 76%;

- (ix) For fiscal year 2030, 76%;
- (x) For fiscal year 2031, 75%;
- (xi) For fiscal year 2032, 71%; and
- (xii) For fiscal year 2033 and each fiscal year thereafter, 73%.

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

- (i) Supplemental Nutrition Assistance Program;
- (ii) Temporary Assistance for Needy Families;
- (iii) Foster care;
- (iv) Head Start;
- (v) Even Start;
- (vi) Migrant students;
- (vii) Homeless students; and

(viii) Medicaid and the Maryland Children’s Health Program, up to 189% of the federal poverty level.

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

(b) (1) (I) [Each] SUBJECT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH, EACH fiscal year, the State shall distribute the State share for compensatory education to each county board.

(II) IF THE AVERAGE STUDENT-TO-TEACHER RATIO IN THE COUNTY EXCEEDS 30 TO 1, THE STATE SHARE FOR COMPENSATORY EDUCATION TO A COUNTY BOARD UNDER THIS SECTION SHALL BE INCLUDED IN THE TARGET PER PUPIL FOUNDATION AMOUNT UNDER § 5-212 OF THIS SUBTITLE.

(2) Each fiscal year, the county board shall distribute to each school the minimum school funding amount for compensatory education calculated under § 5-234 of this subtitle.

(c) (1) Subject to paragraph (3) of this subsection, the State alternative income eligibility form shall be collected by each school that is participating in the United States Department of Agriculture community eligibility provision and may be collected by all other schools.

(2) The State alternative income eligibility form shall:

(i) Be developed by the Department;

(ii) Include a statement indicating that the income information requested on the form is used to determine local and State funding for education; and

(iii) Be available in an electronic format and allow a family to opt out of returning the form to the collecting school.

(3) A school under paragraph (1) of this subsection may not be required to collect the State alternative income eligibility form until the school year after the form has been adopted by the Department after a period of comment from local school systems.”.