



Report of the
Education and Economic
Development Subcommittee
To the House Appropriations Committee

2023 SESSION

Recommendations, Reductions, and Summary of
Action Pertaining to:
House Bill 200

General Assembly of Maryland
House Appropriations Committee
Education and Economic Development Subcommittee
2023 Session Membership Roster

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Education and Economic Development Subcommittee – Recommended Reductions

<u>Agency</u>	<u>General Funds</u>	<u>Special Funds</u>	<u>Federal Funds</u>	<u>Higher Ed Funds</u>	<u>Total Funds</u>
2024 Budget Request					
Maryland State Department of Education (MSDE) – Aid to Education	-\$15,000,000	\$0	\$ 0	\$0	-\$15,000,000
MSDE Early Childhood Development	-10,000,000	0	0	0	-10,000,000
Maryland Higher Education Commission – Student Financial Assistance	-3,500,000	0	0	0	-3,500,000
<i>Subtotal Fiscal 2024 Regular Budget</i>	<i>-\$28,500,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>-\$28,500,000</i>
Fiscal 2024 Total Budget	-\$28,500,000	\$0	\$0	\$ 0	-\$28,500,000
Grand Total Budget Bill	-\$28,500,000	\$0	\$0	\$0	-\$28,500,000

D17B0151
Historic St. Mary's City Commission

Budget Amendments

D17B01.51 Administration

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of the Historic St. Mary's City Commission (HSMCC) may not be expended until the agency submits a report to the budget committees and the St. Mary's County Delegation on the results of a performance audit. The report shall include all findings from a performance audit consistent with professional auditing standards of the administrative and financial offices of HSMCC to evaluate the efficiency and effectiveness of the financial management practices, including procurement by HSMCC. The audit shall meet the following requirements:

- (1) the audit shall be conducted by an independent entity that has expertise in nonprofit corporate government selected after a competitive bidding process for a certified public accounting firm;
- (2) on the award of the contract, and prior to the commencement of the audit, the certified public accounting firm shall consult with the Joint Audit and Evaluation Committee and the Office of Legislative Audits in the development of the scope and objectives of the performance audit; and
- (3) a certified public accounting firm that provides services to HSMCC is not eligible to bid on the performance audit.

The report shall be submitted July 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This language is repeated from the fiscal 2023 Budget Bill as the report has not been submitted as of February 1, 2023. The committees continue to be concerned about the financial management practices at HSMCC. This audit would provide the committees and the St. Mary's County Delegation with information on the financial management practices of HSMCC. This language restricts funds pending submission of an audit conducted by an independent third party on the financial management practices of HSMCC.

D17B0151

Information Request

Author

Due Date

Performance audit on
efficiency and effectiveness
of financial management
systems at HSMCC

HSMCC

August 1, 2023

Amendment No. _____

D28A03
Maryland Stadium Authority

Budget Amendments

D28A03.69 Racing and Community Development Financing Fund

Add the following language to the special fund appropriation:

, provided that \$17,000,000 of this appropriation made for the purpose of appropriations to the Racing and Community Development Financing Fund is contingent on the Maryland Stadium Authority (MSA) entering into (1) eight memoranda of understanding (MOU) regarding the Pimlico racing facility site, as defined in Section 10-601 of the Economic Development Act and (2) all MOUs for the Laurel Park site that are deemed necessary by MSA to begin design, by September 30, 2023. The eight Pimlico MOUs are those identified in the MSA Report on the Pimlico and Laurel Park Facilities Redevelopment as required by HB 897 submitted to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Ways and Means Committee on January 1, 2023. Further provided that MSA will report to the budget committees on the status of the Pimlico MOUs by October 27, 2023. This report should include an updated schedule that outlines key planning, construction, and financing milestones for Pimlico and Laurel Park.

Explanation: Chapter 590 of 2020 created the Racing and Community Development Financing Fund to support improvements to the Pimlico and Laurel Park. When the legislation was enacted, Laurel Park was expected to be completed in 2022 so that racing could begin in February 2023. The project is three years behind schedule as no agreements have been signed and no design or construction has begun. MSA, in its January 1, 2023 report, noted that only one of the eight MOUs for Pimlico has been completed. The fund's debt service payments are supported by \$17 million annually in lottery revenues. Increased interest rates since 2020 have reduced the proceeds expected from these bonds. Construction inflation and increasing the scope beyond what was authorized in 2020 have increased costs. MSA estimates that available funds to renovate the facilities, as proposed by the expanded scope, are \$160 million to \$350 million less than available resources. The expectation is that the State will have to fund this, leaving less resources for other priorities. Further delays could further erode the value of the bonds and add to costs through increased inflation and an expanded scope. This contingent language requires MSA to enter into MOUs by September 30, 2023, and is intended to encourage the parties to enter into MOUs and keep State costs down. The language also requires a report by MSA on or before October 27, 2023.

D28A03

Information Request

Author

Due Date

Update on MOUs and plan
for Pimlico and Laurel Park
Renovation

MSA

October 27, 2023

Amendment No. _____

P00
Maryland Department of Labor

Budget Amendments

P00A01.01 Executive Direction

Add the following language to the general fund appropriation:

, provided that since the Maryland Department of Labor (MDL) has had four or more repeat audit findings in the fiscal compliance audit issued by the Office of Legislative Audits (OLA) on November 15, 2022, \$100,000 of this agency’s administrative appropriation may not be expended unless:

- (1) MDL has taken corrective action with respect to all repeat audit findings on or before November 1, 2023; and
- (2) a report is submitted to the budget committees by OLA listing each repeat audit finding along with a determination that each repeat finding was corrected. The budget committees shall have 45 days from the receipt of the report to review and comment to allow for funds to be released prior to the end of fiscal 2024.

Explanation: The Joint Audit and Evaluation Committee has requested that budget bill language be added for each unit of State government that has four or more repeat audit findings in its most recent fiscal compliance audit. Each agency is to have a portion of its administrative budget withheld pending the adoption of corrective action by the agency and a determination by OLA that each finding was corrected. OLA shall submit a report to the budget committees on the status of repeat findings.

Information Request	Author	Due Date
Status of corrective actions related to the MDL Division of Unemployment Insurance – Part 2 audit	OLA	45 days before the release of funds

Amendment No. _____

P00

Committee Narrative

P00A01.01 Executive Direction

Four-day Workweek: The committees are interested in the feasibility of creating a four-day workweek program in the Maryland Department of Labor (MDL). MDL should study the structure of four-day workweek programs and the potential impact on employers and report the findings to the committee. The report should include:

- a study of existing four-day workweek programs, including those established internationally;
- an analysis of potential incentives that could be provided to employers;
- the potential impact of a four-day workweek program on employers; and
- any resources MDL would require to enable the agency to provide assistance to employers under a four-day workweek program.

Information Request	Author	Due Date
Report on implementing a four-day workweek program	MDL	November 1, 2023

Budget Amendments

P00F01.01 Occupational and Professional Licensing

Add the following language to the special fund appropriation:

. provided that \$2,793,000 of this appropriation made for the purpose of the Electronic Licensing Modernization information technology project may not be expended until the Maryland Department of Labor submits a report to the budget committees documenting the plans to implement the project, including details on the program requirements and intended capabilities of the system, the vendor selection process, a breakdown of the project costs, and an implementation timeline. The report shall be submitted by August 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted to the budget committees.

Explanation: The language restricts funding for the Electronic Licensing Modernization (ELMo) project until the Maryland Department of Labor (MDL) submits an implementation

P00

plan for the project, including details on the project requirements, vendor selection process, costs, and timeline.

Information Request	Author	Due Date
Report on the ELMo project	MDL	August 1, 2023

Amendment No. _____

R00A01
Headquarters
Maryland State Department of Education

Budget Amendments

R00A01.01 Office of the State Superintendent

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation may not be expended until the Maryland State Department of Education submits a report by November 1, 2023, addressing concerns from a January 2023 audit conducted by the Office of Legislative Audits. This report should provide details on actions taken by the agency to resolve all five unredacted audit findings. The budget committees shall have 45 days to review and comment from the date of receipt of the report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: In a recent audit by the Office of Legislative Audits (OLA), the Maryland State Department of Education (MSDE) had eight new findings and one repeat finding, with four redacted cybersecurity findings. These findings involved the use of Blueprint for Maryland’s Future special funds, enrollment audits of local education agencies, appropriate monitoring of fiscal management practices, and State procurement procedures. This language directs MSDE to submit a report regarding actions taken to resolve these findings.

Information Request	Author	Due Date
Report on OLA audit findings	MSDE	November 1, 2023

Amendment No. _____

Committee Narrative

Report on Accounting Practices: Due to ongoing concerns about accounting practices, the budget committees request that the Maryland State Department of Education (MSDE) submit a closeout report by October 1, 2023. This report should include an explanation for encumbrances and reversions for all general, special, federal, and reimbursable funds for any amount that does not equal zero.

Information Request	Author	Due Date
Report on accounting practices	MSDE	October 1, 2023

R00A01

Report on State Education Agency Federal Stimulus Funds: Due to school closures prompted by the COVID-19 pandemic, the Maryland State Department of Education (MSDE) received approximately \$303.0 million in State Education Agency (SEA) federal stimulus funds. To ensure proper monitoring of the use of these funds, the budget committees request that MSDE report by September 1, 2023, on all SEA program expenditures distributed as part of Elementary and Secondary School Emergency Relief (ESSER) funds. This report should include:

- grant procedures for federal mandatory allocations to local education agencies (LEA) for learning loss, summer enrichment, and afterschool programs and grant expenditures by LEA, amount, and program;
- grant expenditures by school and program for State-mandated funds allocated to the Maryland School for the Blind, the Maryland School for the Deaf, and the School for Educational Evolution and Development;
- grant procedures, allocations, and expenditures by program for all discretionary allocations;
- expenditures by MSDE department and object for administrative costs; and
- unexpended funds by program, reasons that funds were not allocated or expended, anticipated expenditures of those funds by program for future years, and funds that may have been canceled.

Information Request	Author	Due Date
Report on SEA ESSER funds	MSDE	September 1, 2023

Report on the Maryland Leads Program: The American Rescue Plan Act requires State agencies to spend a designated percentage of Elementary and Secondary School Emergency Relief funds to address learning loss. The Maryland State Department of Education (MSDE) applied these funds to a new noncompetitive grant program for local education agencies (LEA), Maryland Leads. However, analysis of this program indicates potential issues with how funding was distributed and whether the program will directly impact student learning loss. To ensure proper oversight of this program and funding, the budget committees request that MSDE report by October 1, 2023, on the Maryland Leads program. The report should include the following information:

- a summary of progress on Maryland Leads objectives to date, including program materials or guidance for LEAs;
- LEA actions address learning loss by subprogram;

R00A01

- expenditures by LEA and subprogram for fiscal 2022, 2023, and 2024, including expenditures on personnel;
- summative assessments or measures, by LEA and program, implemented to remediate student learning loss;
- documentation of measurable gains to date, specifically in reading and math, in all grades as the result of Maryland Leads initiatives; and
- any other measures implemented by LEA and subprogram to address student learning loss that did not involve student assessment including, but not limited to, educator professional development, tutoring, small group instruction, summer school, afterschool programs, outreach services, and mental and behavioral health initiatives, and how MSDE will assess the efficacy of these measures.

Information Request	Author	Due Date
Reports on Maryland Leads	MSDE	October 1, 2023

Report on State Teacher Mobility Compacts: The committees are concerned about state teacher mobility compacts and Maryland’s proposed membership in the Interstate Teacher Mobility Compact (ITMC) as introduced in HB 1219, the Maryland Educator Shortage Act of 2023. By November 1, 2023, the committees request that the Maryland State Department of Education (MSDE) report on ITMC and state teacher mobility compacts, including, but not limited to, the following information:

- a current list of all state teacher mobility compacts, states participating in those compacts, and Maryland’s current eligibility for, or participation in, these compacts;
- a comparison of how current state teacher mobility compacts align with MSDE’s process to obtain and maintain Maryland teacher certification including teacher preparation, minimum degree attainment, professional development, and Blueprint for Maryland’s Future Grant program requirements; and
- how, if at all, Maryland’s participation in these compacts may affect recruitment, retention, and mobility of Maryland teachers.

This report should also include the following information on ITMC:

- the rationale for Maryland’s participation and potential costs;

R00A01

- eligibility requirements, laws, and/or regulations needed for Maryland to participate as a member state;
- a list of other states currently participating or planning to participate; and
- teacher certification areas included and excluded from this compact.

Information Request	Author	Due Date
Report on state teacher mobility compacts	MSDE	November 1, 2023

R00A01.03 Office of the Deputy for Teaching and Learning

Report on Virtual Learning: Due to COVID-19 school closures in March 2020, the Maryland State Department of Education (MSDE) allowed local education agencies to implement virtual learning in place of in-person learning. To understand the impact and monitor the continued expansion of virtual learning across the State, the budget committees request that MSDE provide an updated report by December 1, 2023, on actions taken in calendar 2023 to facilitate virtual learning for teachers and students across the State. This report should have:

- costs for State virtual learning in fiscal 2022 and 2023 and anticipated expenditures in fiscal 2024 and 2025, by fund source and program;
- detailed information on the status of virtual learning programs and activities including, but not limited to:
 - State Learning Management System implementation, including additional licenses, migration of courses, training, and information technology services;
 - Maryland Virtual Learning Opportunities courses and vendors;
 - professional development courses, training, and vendors;
 - development and implementation of e-communities and their anticipated impact on virtual learning; and
 - development and implementation of a State virtual school.

Information Request	Author	Due Date
Report on virtual learning	MSDE	December 1, 2023

R00A01

R00A01.04 Division of Early Childhood

Child Care Stabilization Grant Awards: Maryland received more than \$300 million in federal funds through the American Rescue Plan Act of 2021 and allocated an additional \$53.2 million in State funds to help stabilize the child care industry during the COVID-19 public health emergency. The Maryland State Department of Education (MSDE) has distributed most of this funding to providers over multiple rounds of child care stabilization grants. The committees request that MSDE submit a report providing stabilization grant allocations by jurisdiction, grant allocations by child care program type, the number of child care providers that received stabilization grants, and the ways that child care providers spent the grants across allowable uses. In the report, MSDE should include the number of application rounds needed to distribute all State and federal funding for this purpose, the timing of those application cycles, and the timing of when grant payments were made. Finally, MSDE should discuss any new programs or funding streams that it will administer to support child care programs with personnel retention, recruitment, and operating costs once all stabilization grant terms end.

Information Request	Author	Due Date
Report on child care stabilization grant awards	MSDE	December 1, 2023

Support for Child Care Provider Business Practices: The committees are interested in current and potential funding opportunities for child care providers to improve their business practices, including completing the licensing process, meeting health and safety requirements, developing curricula, marketing, providing parental outreach, and managing billing. Therefore, the committees request that the Maryland State Department of Education (MSDE), in consultation with the Department of Commerce (Commerce), submit a report providing:

- current programs and funding sources for child care providers that can be used to improve business practices, specifying the eligible business practices that are supported;
- the amount of funds distributed to child care providers in fiscal 2022 and 2023 to improve business practices, separated by the use of funds;
- business practice improvements that are not currently funded in any existing MSDE or Commerce programs;
- options to expand existing programs or create new programs to support additional business practice improvements that are not currently funded; and

R00A01

- technical assistance that MSDE and Commerce offer to prospective and existing child care providers, identifying any differences in assistance provided based on current operating status and provider type.

Information Request	Author	Due Date
Report on support for child care provider business practices	MSDE Commerce	October 1, 2023

R00A02
Aid to Education
Maryland State Department of Education

Budget Amendments

R00A02.01 State Share of Foundation Program

Add the following language to the general fund appropriation:

, provided that \$100,000 of this appropriation made for the purpose of the Maryland State Department of Education Office of the State Superintendent may not be expended until the agency submits to the budget committees a report by August 1, 2023, on the agency's enrollment collection procedures for free and reduced-price meal (FRPM) students for fiscal 2024 (2023-2024 school year). This report should include the following enrollment data by local education agency (LEA) and school:

- (1) the number of free, reduced-price, and paid meal students;
- (2) the number of FRPM students identified using direct certification and other eligible categories;
- (3) greater than comparisons by LEA used to calculate compensatory education enrollment;
- (4) Community Eligibility Provision (CEP) enrollment and collection procedures used for CEP schools and districts.

This report should also include procedures used to collect and audit LEA enrollment data to check for omissions, errors, or other irregularities, and if applicable, a description of changes to enrollment collection procedures for fiscal 2025.

The budget committees shall have 45 days to review and comment from the date of receipt of the report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: The Maryland State Department of Education is responsible for accurate counts of FRPM students to determine student eligibility for FRPM benefits as well as funding of the compensatory education and concentration of poverty grant programs. Due to issues involving enrollment counts in recent audits and submitted fiscal 2024 data, this language directs MSDE to submit a report regarding actions that the agency is taking to resolve these findings.

R00A02

Information Request	Author	Due Date
Report on FRPM enrollment	MSDE	August 1, 2023

Amendment No. _____

Committee Narrative

R00A02.07 Students With Disabilities

Report on the Nonpublic Placement Program: The budget committees are concerned about accelerating costs for the Nonpublic Placement program, the timely reimbursement of Nonpublic Placement providers, and actions taken by the Maryland State Department of Education (MSDE) to rectify these issues. The budget committees request that MSDE submit a report by October 1, 2023, with (1) program closeout data for fiscal 2023 by provider including annual reimbursement costs and documentation on potential remaining discrepancies at the end of the fiscal year and (2) actions taken in fiscal 2022 and 2023 by the agency to reimburse nonpublic placement providers in a timelier manner.

Information Request	Author	Due Date
Report on the nonpublic placement program	MSDE	October 1, 2023

Status Update on the Autism Waiver Program: The budget committees are concerned about the Autism Waiver program, which currently has a waitlist of more than 6,000 individuals and is managed by the Maryland State Department of Education (MSDE). The budget committees request that MSDE submit a status update on this program by September 1, 2023, that provides the following information:

- current number of waiver slots requested and approved;
- plans to contact all currently waitlisted individuals for a review of their eligibility for the Autism Waiver waitlist;
- a timeline for these actions;
- anticipated administrative costs for these actions;

R00A02

- an update on the number of individuals in the Autism Waiver program and on the autism waiver waitlist as of the date of the report; and
- projected costs for Autism Waiver services considering anticipated changes in the management of the autism waiver list for fiscal 2024 through 2028.

Information Request	Author	Due Date
Status update on the Autism Waiver program	MSDE	September 1, 2023

Budget Amendments

R00A02.13 Innovative Programs

Strike the following language from the General Fund Appropriation:

~~provided that \$15,000,000 of this appropriation is contingent on the enactment of the Maryland Educator Shortage Act.~~

Explanation: This cut reflects the legislative intent to redistribute these funds to reflect the posture of HB1219.

Amendment No. _____

Amend appropriation for the purposes indicated:	<u>Funds</u>	<u>Positions</u>
1. Delete the general fund appropriation for the Maryland Educator Shortage Act.	-15,000,000	GF
Total Change	-15,000,000	0.00

R00A02

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Change</u>	<u>Position Change</u>
General Fund	34,842,491	19,842,491	-15,000,000	
Special Fund	5,000,000	5,000,000	0	
Federal Fund	1,747,441	1,747,441	0	
Total Funds	41,589,932	26,589,932	-15,000,000	

Amendment No. _____

Committee Narrative

Status Update on the Pathways in Technology Early College High School Program (P-TECH): The budget committees are concerned about increasing costs for the P-TECH program, which is managed by the Maryland State Department of Education (MSDE) and local education agencies (LEA). Costs for the P-TECH program are determined by a variety of factors including student enrollment in community college courses and the costs for those courses in any given year. The budget committees request that MSDE submit a status update on the P-TECH program by August 1, 2023, that provides the following information regarding this issue:

- current enrollment in all P-TECH programs by high school, community college, cohort, and entry year;
- projected enrollment in all P-TECH programs in the 2023-2024 and 2024-2025 school years;
- the total number of students who left the program in any given year and reasons for departure;
- the total number of students who have graduated by program and the percentage completion rate;
- community college courses attended by P-TECH students with a cost per course per semester;
- current cost for the program in fiscal 2024 and total projected cost for the program in fiscal 2025;

R00A02

- projected average cost by student, program, and LEA for fiscal 2024 and 2025, including supplemental school and college grants by institution and LEA.

Information Request	Author	Due Date
Status update on P-TECH	MSDE	August 1, 2023

Budget Amendments

R00A02.59 Child Care Assistance Grants

Amend appropriation for the purposes indicated:

	<u>Funds</u>	<u>Positions</u>
1. Reduce general funds supporting the Child Care Scholarship program in recognition of available federal funds from the supplemental Child Care and Development Block Grant award.	-10,000,000 GF	
 Total Change	 -10,000,000	 0.00

<u>Effect</u>	<u>Allowance</u>	<u>Appropriation</u>	<u>Amount Change</u>	<u>Position Change</u>
General Fund	68,547,835	58,547,835	-10,000,000	
Special Fund	12,308,000	12,308,000	0	
Federal Fund	105,146,573	105,146,573	0	
Total Funds	186,002,408	176,002,408	-10,000,000	

Amendment No. _____

R00A02

Add the following language to the federal fund appropriation:

. provided that authorization is hereby provided to process a federal fund budget amendment of \$10,000,000 from the supplemental Child Care and Development Block Grant award to support the Child Care Scholarship program.

Explanation: This language authorizes the transfer of \$10 million from the supplemental Child Care and Development Block Grant award authorized in the American Rescue Plan Act of 2021 to support the Child Care Scholarship program.

Amendment No. _____

Committee Narrative

Child Care Scholarship (CCS) Program Quarterly Reports: The Maryland State Department of Education (MSDE) has implemented several changes under the CCS program in short succession, including raising income eligibility levels, increasing provider reimbursement rates, and waiving assigned copayments for most participating families, that all took effect May 23, 2022. Considering these programmatic changes, the committees request that MSDE submit quarterly reports with the following information:

- CCS expenditures, including Child Care and Development Fund spending that was carried over from prior fiscal years, the amount of newly authorized federal funds expended (with federal awards from COVID-19 stimulus legislation listed separately), and general fund spending;
- the number of scholarships awarded by income eligibility category and total expenditures for those scholarships in each quarter;
- CCS expenditures disaggregated by federal and State funding used directly for scholarships and expenditures by MSDE Headquarters for administrative costs and activities to improve provider quality, specified by purpose;
- quarterly updates on the provider reimbursement rate as a percentile of the market rate, statewide and by region;
- the total number of children and families receiving CCS per month statewide and by jurisdiction, including the number of children and families who became eligible when income eligibility thresholds were raised to 75% of the State median income; and

R00A02

- quarterly updates on whether the department is maintaining a CCS waiting list and, if so, which income categories are impacted and how many children and families have applied for CCS benefits and been added to the waiting list.

In its August 2023 report, MSDE should include actual data for the CCS program in the final quarter of fiscal 2023 and aggregate fiscal 2023 data.

Information Request	Author	Due Date
CCS quarterly expenditure reports	MSDE	August 1, 2023 November 1, 2023 February 1, 2024 May 1, 2024

Child Care Scholarship (CCS) Program Customer Service and Application Processing: The Maryland State Department of Education (MSDE) has acknowledged delays and challenges for child care providers and families participating in the CCS program, specifically related to application processing times and the delivery of invoices and scholarships. Additionally, Chapters 525 and 526 of 2022 require MSDE to establish a presumptive eligibility program and meet processing requirements, i.e. notifying the Comptroller within 10 days after receiving an invoice from a child care provider. The committees request that MSDE include goals, objectives, and performance measures related to CCS program customer service and application processing in its annual Managing for Results submission beginning with the fiscal 2025 allowance. Performance measures should include, but not be limited to, the average number of days to notify the Comptroller after receiving an invoice from a child care provider and the average length of time before an eligibility determination is made after receipt of a CCS application.

Information Request	Author	Due Date
Performance goals and measures related to CCS program customer service and application processing	MSDE	With the submission of the fiscal 2025 allowance and annually thereafter

Status Report on the Maryland Comprehensive Assessment Program (MCAP): The committees are concerned by disruptions to learning and learning loss due to the COVID-19 pandemic and increased costs for new MCAP assessment development in the next few years. The committees request that by November 1, 2023, the Maryland State Department of Education (MSDE) submit a status update on MCAP assessments and expenditures including, but not limited to:

R00A02

- a timetable for MCAP administration for all assessments for the 2023-2024 and 2024-2025 school years, including field testing and pilots for new assessments;
- details on MCAP measurement of student learning loss in the 2022-2023 school year by local education agency (LEA), subject area, grade level, and assessment, as well as additional steps taken, if any, by MSDE at the State level to measure student learning loss;
- details on MCAP administration in the 2022-2023 school year or virtual school students by LEA, program, grade level, and assessment, including alternative assessments and Kindergarten Readiness and anticipated changes, if any, to assessments for virtual school students in the 2023-2024 and 2024-2025 school years;
- expenditures in fiscal 2023 and 2024 and anticipated allowances for fiscal 2025 for each MCAP assessment and assessments under development; and
- contractual expenditures by vendor for fiscal 2023 and 2024 and anticipated contractual expenditures in fiscal 2025 for costs associated with assessment development and administration.

Information Request	Author	Due Date
Status report on MCAP	MSDE	November 1, 2023

R00A03
Funding for Educational Organizations
Maryland State Department of Education

Committee Narrative

R00A03.01 Maryland School for the Blind

Report on Maryland School for the Blind (MSB) Enrollment and Managing for Results (MFR) Measures: MSB recently reported errors in its monthly count of outreach students for fiscal 2022. Because MSB’s calculation for formula funding uses four-year average enrollment counts, this error could potentially decrease the school’s formula funding through fiscal 2027. The budget committees request that, by December 1, 2023, MSB report on this issue. This report should include details of MSB’s enrollment audit including (1) how the school identified and audited enrollment errors; (2) procedures and safeguards to remediate against future errors; and (3) the impact of this error, if any, on the school’s formula funding through fiscal 2027. The committees also request that MSB add enrollment data to the school’s MFR submission starting in fiscal 2025.

Information Request	Author	Due Date
Report on enrollment and MFR	MSB	December 1, 2023

Budget Amendments

R00A03.04 Aid to Non-Public Schools

Amend the following language to the special fund appropriation:

, provided that this appropriation shall be for the purchase of textbooks or computer hardware and software and other electronically delivered learning materials ~~as permitted under Title II, Section 2316(b)(4), (6), and (7), of the No Child Left Behind Act~~ for loan to students in eligible nonpublic schools with a maximum distribution of \$65 per eligible nonpublic school student for participating schools, except that at schools where ~~at least 20%~~ from 20% to 40% of the students are eligible for the free or reduced-price lunch program there shall be a distribution of \$95 per student, and at schools where more than 40% of the students are eligible for the free or reduced-price lunch program, there shall be a distribution of \$155 per student.

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Explanation: This action amends language modifying the distribution of funding for the Aid to Non-Public Schools Program so that schools where more than 40% of the students are eligible for the free or reduced-price lunch program receive \$155 per student. Similar language has been included in the budget since fiscal 2017. It also strikes language regarding the No Child Left Behind Act due to technical differences with the reauthorized Elementary and Secondary Education Act.

Amendment No. _____

Amend the following language to the special fund appropriation:

- (2) Not charge more tuition to a participating student than the statewide average per pupil expenditure by the local education agencies, as calculated by the department, with appropriate exceptions for special education students as determined by the department;
~~and~~
- (3) Comply with Title VI of the Civil Rights Act of 1964, as amended; and
- (4) Submit its student handbook or other written policy related to student admissions to the Maryland State Department of Education for review to ensure compliance with program eligibility requirements.

Explanation: This action requires schools that participate in the Aid to Non-Public Schools Program to submit a student handbook or policy on student admissions to the Maryland State Department of Education to ensure compliance with program eligibility requirements.

Amendment No. _____

Add the following language to the special fund appropriation:

Further provided that a nonpublic school participating in the Aid to Non-Public Schools Program R00A03.04 shall certify compliance with Title 20, Subtitle 6 of the State Government Article. A nonpublic school participating in the program may not discriminate in student admissions, retention, or expulsion, or otherwise discriminate against any student on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Any school found to be in violation of the requirements to not discriminate shall be required to return to the Maryland State Department of Education all textbooks or computer hardware and software

R00A03

and other electronically delivered learning materials acquired through the fiscal 2023 allocation. The only other legal remedy for violation of these provisions is ineligibility for participating in the Aid to Non-Public Schools Program. Any school that is found in violation of the nondiscrimination requirements in fiscal 2023 or 2024 may not participate in the program in fiscal 2024. It is the intent of the General Assembly that a school that violates the nondiscrimination requirements is ineligible to participate in the Aid to Non-Public Schools Program, the Broadening Options and Opportunities for Students Today Program, the James E. “Ed” DeGrange Nonpublic Aging Schools Program, and the Nonpublic School Security Improvements Program in the year of the violation and the following two years.

Explanation: This action requires a nonpublic school participating in the Aid to Non-Public Schools Program to certify compliance with Title 20, Subtitle 6 of the State Government Article (Discrimination in Employment). It also specifies that a participating school may not discriminate in student admissions on the basis of race, color, national origin, sexual orientation, or gender identity or expression. Violation of these provisions means that a school will be ineligible for the program. Similar language has been included in the budget since fiscal 2017. This action also specifies that schools that violate the provisions must return all textbooks and technology received through the program to the Maryland State Department of Education. It also states that a school that violates the nondiscrimination requirements in fiscal 2023 or 2024 is not eligible to participate in the program in fiscal 2024 and states legislative intent that any school that violates the nondiscrimination requirements is ineligible to participate in any program that provides funding to nonpublic schools for a total of three years.

Amendment No. _____

Committee Narrative

Report on American Rescue Plan Act (ARPA) Emergency Assistance to Nonpublic Schools (EANS) Funding: In fiscal 2022, Maryland received \$39.1 million distributed through the ARPA EANS program. The Maryland State Department of Education (MSDE) expects to process awards for this program in spring 2023. The budget committees request that, by September 1, 2023, MSDE report on ARPA EANS awards. This report should include:

- MSDE’s process for issuing awards and amount awarded to each nonpublic school;
- aggregate expenditures by fiscal year and by type, including but not limited to, educational technology and infrastructure, instruction, personal protective equipment, ventilation equipment and other COVID-19 mitigation supplies, routine school operations and maintenance, and physical barriers for social distancing;
- administrative expenses by object; and

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- amount of funds remaining, the intended use of remaining funds, and/or amount of canceled funds.

Information Request	Author	Due Date
Report on ARPA EANS funding for nonpublic schools	MSDE	September 1, 2023

Budget Amendments

R00A03.05 Broadening Options and Opportunities for Students Today

Amend the following language to the special fund appropriation:

- (c) ~~administer assessments to all students in accordance with federal and State law; and~~ administer national, norm-referenced standardized assessments chosen from the list of assessments published by the U.S. Department of Education to qualify nonpublic schools for the National Blue Ribbon Schools Program. The nonpublic schools must administer the assessments to all students as follows:
- (i) English/language arts and mathematics assessments each year for students in grades 3 through 8, and at least once for students in grades 9 through 12; and
- (ii) a science assessment at least once for students in grades 3 through 5, at least once for students in grades 6 through 9, and at least once for students in grades 10 through 12; and
- (d) comply with Title VI of the Civil Rights Act of 1964 as amended, Title 20, Subtitle 6 of the State Government Article, and not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student on the basis of race, color, national origin, ~~or~~ sexual orientation, or gender identity or expression. Nothing herein shall require any school or institution to adopt any rule, regulation, or policy that conflicts with its religious or moral teachings. However, all participating schools must agree that they will not discriminate in student admissions, retention, or expulsion or otherwise discriminate against any student based on race, color, national origin, ~~or~~ sexual orientation, or gender identity or expression. If a nonpublic school does not comply with these requirements, it shall reimburse MSDE all scholarship funds received under the BOOST Program for the 2023-2024 school year and may not charge the student tuition and fees instead. The only other legal remedy for violation of this provision is ineligibility for participating in the BOOST Program.

R00A03

- (2) MSDE shall establish procedures for the application and award process for scholarships for students who are eligible for the free or reduced-price lunch program. The procedures shall include consideration for award adjustments if an eligible student becomes ineligible during the course of the school year.
 - (a) have received a BOOST Program scholarship award for the 2022-2023 school year and will be entering any of grades 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, or 12, or grade 9 if they are a student who attended during the 2022-2023 school year a nonpublic school that serves kindergarten through grade 12; or
 - (b) have a sibling who received a BOOST Program scholarship award for the 2022-2023 school year.
- (3) MSDE shall compile and certify a list of applicants that ranks eligible students by family income expressed as a percent of the most recent federal poverty levels.
- (4) MSDE shall submit the ranked list of applicants to the BOOST Advisory Board.
- (5) There is a BOOST Advisory Board that shall be appointed as follows: two members appointed by the Governor, two members appointed by the President of the Senate, two members appointed by the Speaker of the House of Delegates, and one member jointly appointed by the President and the Speaker to serve as the chair. A member of the BOOST Advisory Board may not be an elected official and may not have any financial interest in an eligible nonpublic school.
- (6) The BOOST Advisory Board shall review and certify the ranked list of applicants and shall determine the scholarship award amounts. The BOOST Advisory Board shall take into account the needs of students with disabilities on an Individualized Education Plan or 504 Plan when determining scholarship award amounts.
- (7) MSDE shall make scholarship awards to eligible students as determined by the BOOST Advisory Board.
- (8) ~~The~~ Unless the student has special needs due to a disability, the amount of a scholarship award may not exceed the lesser of:
 - (a) the statewide average per pupil expenditure by local education agencies, as calculated by MSDE; or
 - (b) the tuition of the nonpublic school.
- (9) In order to meet its BOOST Program reporting requirements to the budget committees, MSDE shall specify a date by which participating nonpublic schools must submit information to MSDE so that it may complete its required report. Any nonpublic

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schools that do not provide the necessary information by that specified date shall be ineligible to participate in the BOOST Program.

- (10) Students who received a BOOST Program scholarship award in the prior year who still meet eligibility criteria for a scholarship shall receive a scholarship renewal award. For students who are receiving a BOOST Program scholarship for the first time, priority shall be given to students who attended public schools in the prior school year.

Further provided that the BOOST Advisory Board shall make all scholarship awards no later than December 31, 2023, for the 2023-2024 school year to eligible individuals. Any unexpended funds not awarded to students for scholarships shall be encumbered at the end of fiscal 2024 and available for scholarships in the 2024-2025 school year.

Further provided that \$700,000 of this appropriation shall be used only to provide an additional award for each student with special needs that is at least equal in amount to the BOOST Program scholarship award that a student is awarded in accordance with paragraph (6) above.

Further provided that MSDE shall submit a report to the budget committees by January 15, 2024, that includes the following:

- (1) the number of students receiving BOOST Program scholarships;
- (2) the amount of the BOOST Program scholarships received;
- (3) the number of certified and noncertified teachers in core subject areas for each nonpublic school participating in the BOOST Program;
- (4) the assessments being administered by nonpublic schools participating in the BOOST Program and the results of these assessments. MSDE shall report the assessment results reported by nonpublic schools to the budget committees in an aggregate manner that does not violate student data privacy;
- (5) in the aggregate, for each BOOST Program scholarship awarded (a) the nonpublic school and grade level attended by the student; (b) the school attended in the 2022-2023 school year by the student; and (c) if the student attended the same nonpublic school in the 2022-2023 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2022-2023 school year and will receive in the 2023-2024 school year;
- (6) the average household income of students receiving BOOST Program scholarships;
- (7) the racial breakdown of students receiving BOOST Program scholarships;
- (8) the number of students designated as English language learners receiving BOOST Program scholarships;

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- (9) the number of special education students receiving BOOST Program scholarships;
- (10) the county in which students receiving BOOST Program scholarships reside;
- (11) the number of students who were offered BOOST Program scholarships but declined them as well as their reasons for declining the scholarships and the breakdown of students attending public and nonpublic schools for students who declined scholarships;
- (12) the number of students who received BOOST Program scholarships for the 2022-2023 school year who are attending public school for the 2023-2024 school year as well as their reasons for returning to public schools; and
- (13) the number of students who received BOOST Program scholarships for the 2023-2024 school year who withdrew or were expelled from the nonpublic schools they were attending and the reasons for which they withdrew or were expelled; the schools they withdrew or were expelled from; and the length of time students receiving BOOST Program scholarships were enrolled at a nonpublic school before withdrawing or being expelled.

Explanation: This language specifies that schools with BOOST students administer certain national, norm-referenced standardized assessments and sets certain priorities for BOOST scholarships. This language also provides that for the 2023-2024 school year, the BOOST Advisory Board shall make all scholarship awards no later than December 31, 2023, and any unexpended funds not awarded to students shall be encumbered for scholarships in the next year. This language also requires MSDE to report by January 15, 2024, on the distribution of the BOOST scholarships; information on the students receiving BOOST scholarships; teacher certifications for nonpublic schools participating in the BOOST Program; and assessments being administered in nonpublic schools participating in the BOOST Program, including student performance. The language also requires that MSDE report on students who choose to decline scholarships or attend public schools after participating in the BOOST Program in the past, along with their reasons for doing so, and information on students receiving scholarships for the 2023-2024 school year who withdrew or were expelled from the nonpublic schools that they were attending. Finally, the language requires that the BOOST Advisory Board shall take into account the special needs of students with disabilities as it is determining scholarship award amounts and that \$700,000 of the BOOST appropriation shall be used to provide higher awards for these students.

Information Request	Author	Due Date
BOOST Program participation	MSDE	January 15, 2024

Amendment No. _____

R00A07
Interagency Commission on School Construction

Committee Narrative

R00A07.01 Interagency Commission on School Construction

Status Update on Chapter 32 of 2022 Requirements: As required in the 21st Century Schools School Facilities Act of 2018 (Chapter 14) and as amended in Chapter 32, the Interagency Commission on School Construction (IAC) has requirements related to the implementation of the Statewide Facilities Assessment (SFA), the Integrated Master Facility Asset Library, and recommendations from the Workgroup on the Assessment and Funding of School Facilities. The budget committees request that by January 15, 2024, IAC submit a status update on the agency’s progress to meet these requirements in calendar 2023. This update should include the following information:

- alignment of the sufficiency standards and square foot allowances with gross area baselines;
- State and local-cost share formulas and incentives;
- verification of the second round of SFA data with the Department of Legislative Services;
- establishment of an appeals process for local education agencies for individual school construction projects with specifically approved enrollment projections; and
- determination of the minimum equipment needed for food preparation to be used for the survey of school buildings.

Information Request	Author	Due Date
Status update on Chapters 14 and 32 requirements	IAC	January 15, 2024

R12
Accountability and Implementation Board

Committee Narrative

R12A01.01 Accountability and Implementation Board

Status Update on Expenditures, Personnel, and Managing for Results (MFR) Measures:

The Accountability and Implementation Board (AIB) was established as part of Chapter 36 of 2021 as an independent agency responsible for oversight of Blueprint for Maryland’s Future Grant program implementation and evaluation of its outcomes. The agency started work in fiscal 2022; fiscal 2023 is the agency’s first year of operations and MFR measures. With this in mind, the budget committees request that AIB submit a status update by December 1, 2023, on expenditures, hiring, and MFR measures with the following information:

- closeout expenditures for fiscal 2023 and expenditures to date for fiscal 2024;
- staff hired in fiscal 2022, 2023, and 2024, including position, salary, responsibilities, and vacancies;
- completed MFR objectives for Goal 1 and how the agency might improve estimated response times for State and local education agency Comprehensive Implementation Plan reviews.

Information Request	Author	Due Date
Status update on expenditures, hiring, and MFR measures	AIB	December 1, 2023

Budget Amendment

R12A01.01 – Accountability and Implementation Board

1. Delete funds for a consultant study to reflect delays in the submission date. \$ 250,000 SF

Explanation: This cut reflects the legislative intent to delay a mandated study beyond fiscal 2024

Amendment No. _____

R13M00
Morgan State University

Budget Amendments

R13M00.00 Morgan State University

Add the following language to the unrestricted fund appropriation:

, provided that since Morgan State University (MSU) has had four or more repeat audit findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), \$500,000 of this agency’s administrative appropriation may not be expended unless:

- (1) MSU has taken corrective action with respect to all repeat audit findings on or before November 1, 2023; and
- (2) a report is submitted to the budget committees by OLA listing each repeat audit finding along with a determination that each repeat finding was corrected. The budget committees shall have 45 days from the receipt of the report to review and comment to allow for funds to be released prior to the end of fiscal 2024.

Explanation: The Joint Audit and Evaluation Committee has requested that budget bill language be added for each unit of State government that has four or more repeat audit findings in its most recent fiscal compliance audit. Each agency is to have a portion of its administrative budget withheld pending the adoption of corrective action by the agency and a determination by OLA that each finding was corrected. OLA shall submit a report to the budget committees on the status of repeat findings.

Information Request	Author	Due Date
Status of corrective actions related to the most recent fiscal compliance audit	OLA	45 days before the release of funds

Amendment No. _____

Committee Narrative

Report on the National Center for Elimination of Educational Disparities: Morgan State University (MSU) is launching a new center that will focus on altering the educational outcomes for Black, Latinx, and low-income children in public schools. The fiscal 2024 budget includes funding for this center. The committees request that MSU submit a report on the strategic goals of the center, its research plans, and how that research will be practiced to support the center’s goals.

R13M00

Information Request	Author	Due Date
Report on the Center for the Elimination of Educational Disparities	MSU	August 1, 2023

R62I00
Maryland Higher Education Commission

Committee Narrative

Institutional Aid, Pell Grants, and Loan Data by Expected Family Contribution (EFC)

Category: In order to more fully understand all types of aid available to students, the committees request that data be submitted for each community college, public four-year institution, and independent institution on institutional aid, Pell grants, and student loans. Data should include, by EFC, the number of loans and average loan size of federal subsidized and unsubsidized loans and loans from private sources as reported to the Maryland Higher Education Commission (MHEC). Additionally, data should be provided on Pell grants, including the number and average award size by EFC. Finally, data should include the number of institutional aid awards and average award size by EFC for institutional grants, institutional athletic scholarships, and other institutional scholarships. The data in the response should differentiate between need-based aid and merit scholarships. Data should also include the number of institutional aid awards and average award size by EFC for tuition waivers/remissions of fees to employees and dependents and students. Waiver information for students should be reported by each type of waiver in State law. This report should cover fiscal 2022 data received by MHEC from State institutions and is to be submitted in an electronic format (Excel file).

Information Request	Author	Due Date
Institutional aid, Pell grants, and loan data by EFC	MHEC	June 30, 2023

Report on Best Practices and Annual Progress Toward the 55% Completion Goal: The budget committees understand that in order to meet the State’s goal to have at least 55% of Maryland’s residents ages 25 to 64 holding at least one degree credential by 2025, accurate and timely information on degree progression and best practices is needed to ensure that the State is on track to meet the goal. The budget committees request that the Maryland Higher Education Commission (MHEC) annually collect and analyze student- and transcript-level data on progression, graduation, and other relevant metrics from each public institution of higher education, including community colleges and regional higher education centers. MHEC should submit a report by December 15 each year that analyzes the data and shows each institution’s progress toward the State and institutional goals in 2025. The report should also include a summary of best practices and findings on the effectiveness of institutions’ programs as well as any concerns regarding lack of progress or best practices that are not being implemented by institutions.

Information Request	Author	Due Date
Report on best practices and annual progress toward the 55% completion goal	MHEC	December 15, 2023

R62I00

Report on Nontraditional Pathways: Nationally, nontraditional students, those 25 years and older, comprise approximately 40% of undergraduate students and, according to the Maryland Higher Education Commission (MHEC), these students account for about one-third of undergraduates in community colleges and the public four-year institutions. While there is no standard definition of a nontraditional student, age is often used as a defining characteristic of this population. Nontraditional students face different obstacles than traditional students in obtaining a college education such as having to balance school, work, and life. In order to grow enrollment, institutions will need to develop programs and initiatives targeting this population to help it succeed. MHEC will work with the University System of Maryland (USM) and the Maryland Association of Community Colleges to develop a strategy to strengthen pathways for nontraditional students. MHEC intends to use the \$5 million provided in the fiscal 2024 budget to provide grants to USM institutions and community colleges to execute the strategy. The committees request that MHEC submit a report on how the funds are used to strengthen the pathways for nontraditional students.

Information Request	Author	Due Date
Report on nontraditional pathways	MHEC	December 15, 2023

Report on Advising Systems and Wrap-around Services: The committees are interested in the types of intrusive advising systems used by higher education institutions and the wrap-around services provided to students to help ensure they succeed and earn a degree. The committees request that the Maryland Higher Education Commission (MHEC) survey each community college, public four-year institution, and independent nonprofit institutions and catalog the types of intrusive advising systems that each campus utilizes and the wrap-around support services available to students. Following completion of the survey, the committees request that MHEC submit a report on the result of the survey. In addition, the report should include data, by institution, on the number of students who identify as parents or a person acting as a parent or legal guardian.

Information Request	Author	Due Date
Report on advising systems and wrap-around services	MHEC	October 1, 2023

R62I0005
Aid to Community Colleges
Maryland Higher Education Commission

Committee Narrative

R62I00.05 The Senator John A. Cade Funding Formula for the Distribution of Funds to Community Colleges

Community College Enrollment Decline and Use of Funding: There has been an overall decline in college enrollment in recent years, particularly at the community college level. The committees request a report on efforts to address enrollment declines at the local community colleges. The committees understand that this decline in enrollment has led to an increase in State funding per full-time equivalent student at the community colleges. The report should also include how the increased funding in fiscal 2021 through 2023 has been used to address workforce shortages and how the additional funding in fiscal 2024 will also be used to further these efforts. This report shall be submitted by November 1, 2023.

Information Request	Author	Due Date
Enrollment and workforce shortages	Maryland Association of Community Colleges	November 1, 2023

R62I0010
Student Financial Assistance
Maryland Higher Education Commission

Committee Narrative

R62I00.10 Educational Excellence Awards

Fully Funding Guaranteed Access (GA) and Educational Assistance (EA) Grants: Currently, GA grants are given funding priority over EA grants. This method has created a system where the two grants are competing for the same limited amount of dollars, leading to some students not receiving grants. Eligible applicants of the EA grant are put on a waitlist and are awarded grants based on need and the funding available. The committees request a report on to the cost to fully fund the two grants separately as well as eliminate the EA waitlist. The report should include an estimate of how much funding would be required along with information to support the calculation including the anticipated number of recipients for the grants and grant amounts used in the calculation of full funding as well as the elimination of the EA waitlist. This report shall be submitted by November 1, 2023.

Information Request	Author	Due Date
Report on funding the GA and EA grants	MHEC	November 1, 2023

Budget Amendments

R62I00.53 Maryland Police Officers Scholarship Program

Add the following language to the general fund appropriation:

provided that the appropriation made for the purpose of providing tuition assistance to students who intend to become or are currently police officers for program R62I00.53 Maryland Police Officers Scholarship shall be reduced by \$3,500,000 contingent on enactment of HB 982 altering the required funding levels for the Maryland Police Officers and Probation Agents Scholarship.

Explanation: This action reduces funding for the Maryland Police Officers Scholarship Program contingent on the enactment of HB 982, which reduces the mandated funding level and expands the eligible recipients.

Amendment No. _____

R62I0010

Committee Narrative

Impact of Credit Completion Requirement on Financial Aid Awards: The committees are interested in the impact the 30-credit-hour requirement had on students in the 2022-2023 Morgan State academic year and the 2023-2024 awarding year, specifically if students are meeting the requirement in order to receive the full amount of award, how many students had their awards prorated, and how many students lost eligibility. The report should also include the graduation rates of students who completed 30 credit hours compared to those who completed less than 30 credit hours. The report should provide summary data by segment (community colleges, four-year public, and independent institutions) and by institution. The report should also identify how the Maryland Higher Education Commission (MHEC) alerts Educational Excellence Award (EEA) recipients that they are in danger of losing their award, as all segments are showing signs of increasing populations of students not meeting the 24-credit hour minimum. The report should identify the updated funding disbursement, by EEA award type and by total credit attainment grouping, for the students from the most recent review cycle as well as what the total funding amount was, by EEA award type, prior to those students having their award funding amounts revised.

Information Request	Author	Due Date
Report on impact of credit completion requirement on financial aid awards	MHEC	December 11, 2023

Next Generation Scholars (NGS) Postsecondary Outcomes: The 2020-2021 academic year was the first academic year with a cohort of grade 12 students in the NGS program. The committees remain interested in determining how many NGS students met the eligibility requirements and later enrolled in a postsecondary institution. The report should identify the number of NGS seniors for the 2021-2022 and 2022-2023 academic years, the number of NGS seniors who successfully met all of the eligibility requirements, the number of eligible NGS seniors receiving a Guaranteed Access award, and the number of seniors who later enrolled in a postsecondary institution of higher education in either the summer session or the fall semester and identify to which higher education segment those students enrolled.

Information Request	Author	Due Date
Report on postsecondary outcomes for NGS senior students	Maryland Higher Education Commission	December 1, 2023

R75T0001 Higher Education

Budget Amendments

Add the following language:

SECTION 20. AND BE IT FURTHER ENACTED, That \$500,000 of the general fund appropriation for the University System of Maryland (USM), \$500,000 of the general fund appropriation for Morgan State University (MSU), \$500,000 of the general fund appropriation for St. Mary's College of Maryland (SMCM), \$500,000 of the general fund appropriation for the Maryland Higher Education Commission (MHEC) made for the purpose of the Joseph A. Sellinger Formula Aid to Non-public Institutions for Higher Education (R62I00.03), and \$500,000 of the general fund appropriation for MHEC made for the purpose of The Senator John A. Cade Funding Formula (R62I00.05) may not be expended until a report is submitted, on recommendations to improve MHEC's academic program approval process by making it a transparent, efficient, evidence-based, and timely process that allows institutions the flexibility to respond to the needs of the students and State. The report shall be submitted by a workgroup consisting of one member from the Senate Budget and Taxation Committee, one member from the Senate Education, Energy, and the Environment Committee, two members from the House Appropriations Committee, and one representative each from USM, MSU, SMCM, Maryland Independent College and University Association, the Maryland Association of Community Colleges, and the Secretary of MHEC. The report shall include recommendations regarding whether MHEC shall:

- (1) develop operational missions to differentiate each institution's roles in meeting the State's goals;
- (2) develop three-year institutional plans to help facilitate efficient coordination of academic degree program offerings;
- (3) develop mechanisms to ensure that objective data demonstrates that proposed programs support State workforce needs and the economic competitiveness of the State and that MHEC has sufficient data analytics staff to evaluate these objectives;
- (4) develop measurable criteria to determine when a proposed new program is considered unreasonable/unnecessary duplicative;
- (5) make any revisions to the objection process, including any recommended statutory changes;
- (6) make any revisions of the criteria that triggers a full program review;
- (7) given projected enrollment declines, make any revisions to the program approval process to encourage collaboration among institutions to ensure viable programs; and

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- (8) make any revisions to ensure that the program approval process has the primary goal of meeting the needs of the students and the State while ensuring full compliance with all applicable laws and legal precedents regarding program approval with respect to the Historically Black Colleges and Universities.

The report shall be submitted by December 1, 2023, and the committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This language restricts funding for USM, MSU, SMCM, MHEC, the Joseph A. Sellinger formula, and the Senator John A. Cade funding formula until a report is submitted on recommendations to improve MHEC's program approval process to make it a transparent, efficient, evidence-based, and timely process that will allow institutions the flexibility to respond to the needs of the State and students.

Information Request	Author	Due Date
Report on improving the academic approval process	Maryland Independent College and University Association Maryland Association of Community Colleges USM MSU SMCM MHEC	December 1, 2023

Amendment No. _____

R75T00.01 Support for State Operated Institutions of Higher Education

Add the following language to the general fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of general administration may not be expended until Baltimore City Community College (BCCC) submits a report to the budget committees on both BCCC's enrollment trends and the Mayor's Scholars Program (MSP). The report shall include updated information on MSP from the 2021-2022 and 2022-2023 academic years and provide the following information on MSP: (1) the number of applications received for the first, second, third, fourth, and fifth cohort; the number of students who enrolled each semester; and the number of first-year students who enrolled in the second, third, and fourth year (where applicable); (2) the number of students who participated in the Summer Bridge program for the first, second, third, fourth, and fifth cohort; (3) the number of

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students in the first, second, third, and fourth cohort who have successfully completed at least 15 credits each semester or a total of 30 credits in their first academic year; and (4) the amount of financial aid provided to scholars in year one, two, three, and four by cohort, including the total amount each year and the average student award. The report shall be submitted by December 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This language restricts funds pending a report on BCCC’s overall enrollment trends and MSP.

Information Request	Author	Due Date
Enrollment and MSP	BCCC	December 1, 2023

Amendment No. _____

Add the following language to the general fund appropriation:

. provided that \$500,000 of this appropriation made for the purpose of general administration may not be expended until Baltimore City Community College submits a report to the budget committees on the implementation of Realignment Task 6. The report shall include the exact number of faculty on one-, on two-, and on three-year contracts, broken down by degree or certificate program. The report shall also detail the extent to which faculty have participated in the construction of a plan to implement this realignment task. The report shall also contain any plans to offer faculty impacted by a degree or certificate program slated for phase out or reduction a similar position elsewhere in the college, and how the college proposes to respect faculty seniority in layoff or reinstatement matters. The report shall be submitted by October 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This language restricts funds pending a report on the Baltimore City Community College’s (BCCC) implementation of Realignment Task 6 and the faculty contract system.

R75T0001

Information Request	Author	Due Date
Faculty Contract System and Realignment Task 6	BCCC	October 1, 2023
Amendment No. _____		

Add the following language to the general fund appropriation:

, provided that since Morgan State University (MSU) has had four or more repeat audit findings in the most recent fiscal compliance audit issued by the Office of Legislative Audits (OLA), \$500,000 of this agency’s administrative appropriation may not be expended unless:

- (1) MSU has taken corrective action with respect to all repeat audit findings on or before November 1, 2023; and
- (2) a report is submitted to the budget committees by OLA listing each repeat audit finding along with a determination that each repeat finding was corrected. The budget committees shall have 45 days from the receipt of the report to review and comment to allow for funds to be released prior to the end of fiscal 2024.

Explanation: The Joint Audit and Evaluation Committee has requested that budget bill language be added for each unit of State government that has four or more repeat audit findings in its most recent fiscal compliance audit. Each agency is to have a portion of its administrative budget withheld pending the adoption of corrective action by the agency and a determination by OLA that each finding was corrected. OLA shall submit a report to the budget committees on the status of repeat findings.

Information Request	Author	Due Date
Status of corrective actions related to the most recent compliance audit	OLA	45 days before the release of funds
Amendment No. _____		

Committee Narrative

Instructional Faculty Workload Report: The committees request that the University System of Maryland (USM), Morgan State University (MSU), and St. Mary’s College of Maryland

R75T0001

(SMCM) continue to provide annual instructional workload reports for tenured/tenure-track faculty. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular core faculty. However, there are other types of instructional faculty at institutions, such as full- and part-time nontenured/nontenure-track faculty including adjunct faculty, instructors, and lecturers. Focusing on only tenured/tenure-track faculty provides an incomplete picture of how students are taught. Therefore, the report should also include the instructional workload when all types of faculty are considered. Additional information may be included at the institution's discretion. Furthermore, the USM report should include the percent of faculty meeting or exceeding teaching standards for tenured/tenure-track faculty for the University of Maryland, Baltimore Campus.

Information Request	Author	Due Date
Annual report on faculty workload	USM MSU SMCM	December 11, 2023

Report on Programs to Foster Equitable Growth in the Cannabis Industry: Beginning in July 2023, Marylanders will be able to purchase recreational marijuana. With this new industry, there is an education gap in not only providing those with knowledge and skills needed to work in industry, but also more research needs to be conducted about cannabis. Additionally, there is a workforce gap due to a lack of people who have the knowledge and skills to work in the cannabis industry. Moreover, communities most harmed by cannabis criminalization need access to training to participate in this emerging sector. The committees are interested in fostering the development of the cannabis industry and request the University System of Maryland (USM), Morgan State University (MSU), St. Mary's College of Maryland (SMCM), and the Maryland Association of Community Colleges (MACC) to establish a workgroup to investigate the development of cannabis focused programs, courses, and certificates to train students for the cannabis industry. Cannabis related courses and programs included in the discussion of the workgroup should encompass the entire range of the industry including growing, business, processing, and testing; logistics; cannabis law and policy; and research and development of therapeutics.

Information Request	Author	Due Date
Report on programs to foster growth in the cannabis industry	USM MSU SMCM MACC	October 15, 2023

R95C00
Baltimore City Community College

Budget Amendments

R95C00.00 Baltimore City Community College

Add the following language to the unrestricted fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of general administration may not be expended until Baltimore City Community College (BCCC) submits a report to the budget committees on both BCCC’s enrollment trends and the Mayor’s Scholars Program (MSP). The report shall include updated information on MSP from the 2021-2022 and 2022-2023 academic years and provide the following information on MSP: (1) the number of applications received for the first, second, third, fourth, and fifth cohort; the number of students who enrolled each semester; and the number of first-year students who enrolled in the second, third, and fourth year (where applicable); (2) the number of students who participated in the Summer Bridge program for the first, second, third, fourth, and fifth cohort; (3) the number of students in the first, second, third, and fourth cohort who have successfully completed at least 15 credits each semester or a total of 30 credits in their first academic year; and (4) the amount of financial aid provided to scholars in year one, two, three, and four by cohort, including the total amount each year and the average student award. The report shall be submitted by December 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This language restricts funds pending a report on BCCC’s overall enrollment trends and MSP. Funds are being restricted due to the previously requested report not being submitted.

Information Request	Author	Due Date
Enrollment and MSP	BCCC	December 1, 2023

Amendment No. _____

Add the following language to the unrestricted fund appropriation:

, provided that \$500,000 of this appropriation made for the purpose of general administration may not be expended until Baltimore City Community College (BCCC) submits a report to the budget committees on the implementation of Realignment Task 6. The report shall include the exact number of faculty on one-, on two-, and on three-year contracts, broken down by degree or certificate program. The report shall also detail the extent to which faculty have participated

R95C00

in the construction of a plan to implement this realignment task. The report shall also contain any plans to offer faculty impacted by a degree or certificate program slated for phase out or reduction a similar position elsewhere in the college, and how the college proposes to respect faculty seniority in layoff or reinstatement matters. The report shall be submitted by October 1, 2023, and the budget committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: This language restricts funds pending a report on BCCC's implementation of Realignment Task 6 and the faculty contract system. Funds are being restricted due to the previously requested report not being submitted.

Information Request	Author	Due Date
Faculty contract system and Realignment Task 6	BCCC	October 1, 2023

Amendment No. _____

T00
Department of Commerce

Budget Amendments

DIVISION OF BUSINESS AND INDUSTRY SECTOR DEVELOPMENT

T00F00.16 Economic Development Opportunity Fund

Add the following language to the special fund appropriation:

. provided that no funds may be distributed until the Department of Commerce provides notification to the Legislative Policy Committee (LPC) of the planned distribution of funds to the proposed recipient. The notification shall be submitted to LPC at least 30 days prior to the disbursement of funds and shall include the information detailed in § 7-314 (l) of the State Finance and Procurement Article. LPC shall have 30 days from the date of the receipt of the notification to review and comment. Funds restricted pending notification to LPC may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the notification is not provided.

Explanation: Under § 7-314 of the State Finance and Procurement Article, LPC approval is required to transfer funds from the State Reserve Fund Economic Development Opportunities Program Account (also known as the Sunny Day Fund) prior to disbursing funds to the intended recipient. However, the proposed Sunny Day award to United Safety Technology utilizes available fund balance in the Maryland Economic Development Assistance Authority and Fund instead of funding appropriated in the State Reserve Fund. This language requires the Department of Commerce (Commerce) to provide notification to LPC prior to the disbursement of funds, consistent with the legislative oversight typically provided for Sunny Day Fund awards.

Information Request	Author	Due Date
Sunny Day Fund award notification	Commerce	30 days prior to the disbursement of funds

Amendment No. _____

T50T01
Maryland Technology Development Corporation

Budget Amendments

T50T01.15 Maryland Equitech Growth Fund

Add the following language to the general fund appropriation:

, provided that \$1,000,000 of this appropriation made for the purpose of the Maryland Equitech Growth Fund is contingent on the enactment of HB 781 or SB 699 establishing the Equitech Growth Fund in the Maryland Technology Development Corporation.

Explanation: This language makes funding for the Maryland Equitech Growth Fund contingent on the enactment of HB 781 or SB 699 establishing the program in the Maryland Technology Development Corporation.

Amendment No. _____