

SENATE BILL 485

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8lr2764
CF 8lr1467

By: **Senator Conway**

Introduced and read first time: January 29, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Maryland Early Literacy Initiative Program – Established**

3 FOR the purpose of establishing the Maryland Early Literacy Initiative Program;
4 establishing the purpose of the Program; requiring the Program to be established in
5 at least a certain number of counties; requiring the State Department of Education
6 to develop and administer the Program; authorizing a county board, in collaboration
7 with a certain entity, to make a certain application to the Department for grants
8 under the Program; requiring the Department to award grants in a certain priority
9 in a certain circumstance; requiring a certain program to meet certain requirements;
10 requiring the Governor to include a certain appropriation to the Program beginning
11 in a certain fiscal year; authorizing the Department to retain a reasonable portion of
12 a certain appropriation to administer the Program; requiring the Department to
13 distribute up to a certain number of grants each year; limiting the grant amount that
14 may be awarded to a certain school each year; requiring a grant under the Program
15 to be renewed under certain circumstances; authorizing a certain school to apply for
16 and receive certain additional financial assistance; requiring the Department to
17 submit a certain report to the Governor and certain committees of the General
18 Assembly on or before certain dates; providing for the termination of this Act;
19 defining certain terms; and generally relating to grants to schools to develop a
20 literacy program.

21 BY adding to
22 Article – Education
23 Section 5–216
24 Annotated Code of Maryland
25 (2014 Replacement Volume and 2017 Supplement)

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

28 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 5-216.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "INTERVENTIONIST" MEANS A FULL-TIME TRAINED
5 PROFESSIONAL WHOSE PRIMARY RESPONSIBILITY IS TO DELIVER EVIDENCE-BASED
6 EARLY LITERACY INTERVENTION.

7 (3) "LITERACY PROGRAM" MEANS A LITERACY PROGRAM
8 IMPLEMENTED BY AN INTERVENTIONIST.

9 (4) "NONPROFIT ORGANIZATION" MEANS A NONPROFIT
10 ORGANIZATION THAT:

11 (I) IS BASED IN THE STATE;

12 (II) IS INCORPORATED OR REGISTERED UNDER THE LAWS OF
13 THE STATE;

14 (III) IS EXEMPT FROM FEDERAL INCOME TAX UNDER § 501(C)(3),
15 (4), OR (6) OF THE INTERNAL REVENUE CODE;

16 (IV) IS CURRENT IN THE PAYMENT OF ALL TAX OBLIGATIONS TO
17 THE STATE OR ANY UNIT OR SUBDIVISION OF THE STATE; AND

18 (V) HAS BEEN IN ACTIVE BUSINESS FOR 3 YEARS OR MORE AT
19 THE TIME OF THE APPLICATION SUBMITTED UNDER THIS SECTION.

20 (5) "PARTICIPATING STUDENT" MEANS A STUDENT WHO:

21 (I) IS IN PREKINDERGARTEN THROUGH THIRD GRADE; OR

22 (II) HAS BEEN ASSESSED BELOW A CERTAIN LEVEL ON THE
23 ASSESSMENT THE DEPARTMENT USES TO ASSESS READING LEVEL.

24 (6) "PROGRAM" MEANS THE MARYLAND EARLY LITERACY
25 INITIATIVE PROGRAM.

26 (7) "QUALIFYING SCHOOL" MEANS A SCHOOL CATEGORIZED BY THE
27 LOCAL SCHOOL SYSTEM AS A TITLE I SCHOOL.

1 **(B) (1) THERE IS A MARYLAND EARLY LITERACY INITIATIVE PROGRAM**
2 **IN THE DEPARTMENT.**

3 **(2) THE PURPOSE OF THE PROGRAM IS TO ASSIST UP TO 50**
4 **QUALIFYING SCHOOLS, IN COLLABORATION WITH A NONPROFIT ORGANIZATION, TO**
5 **IMPLEMENT AN EVIDENCE-BASED LITERACY PROGRAM IN THE SCHOOL TO WORK**
6 **WITH PARTICIPATING STUDENTS TO MEET LITERACY PROFICIENCY TARGETS BY THE**
7 **END OF THIRD GRADE OR OTHER LITERACY TARGETS AS DETERMINED BY THE**
8 **DEPARTMENT.**

9 **(3) THE PROGRAM SHALL BE ESTABLISHED IN AT LEAST THREE**
10 **COUNTIES.**

11 **(4) THE PROGRAM SHALL BE DEVELOPED AND ADMINISTERED BY**
12 **THE DEPARTMENT.**

13 **(C) (1) A COUNTY BOARD, IN COLLABORATION WITH A NONPROFIT**
14 **ORGANIZATION, MAY APPLY TO THE DEPARTMENT TO RECEIVE A GRANT FOR A**
15 **QUALIFYING SCHOOL TO DEVELOP A LITERACY PROGRAM THAT IS IN FURTHERANCE**
16 **OF THE PURPOSE OF THE PROGRAM.**

17 **(2) AN APPLICATION SHALL:**

18 **(I) IDENTIFY THE QUALIFYING SCHOOL WITHIN THE COUNTY**
19 **TO RECEIVE THE GRANT;**

20 **(II) IDENTIFY THE NONPROFIT ORGANIZATION THAT WILL**
21 **WORK IN COLLABORATION WITH THE QUALIFYING SCHOOL TO IMPLEMENT THE**
22 **LITERACY PROGRAM;**

23 **(III) INCLUDE A DESCRIPTION OF:**

24 **1. THE LITERACY PROGRAM TO BE IMPLEMENTED AT**
25 **THE QUALIFYING SCHOOL; AND**

26 **2. HOW THE LITERACY PROGRAM WILL MEET THE**
27 **REQUIREMENTS UNDER SUBSECTION (D) OF THIS SECTION; AND**

28 **(IV) ANY OTHER INFORMATION REQUIRED BY THE**
29 **DEPARTMENT.**

30 **(3) IF THE NUMBER OF APPLICATIONS IS GREATER THAN THE**
31 **NUMBER OF AVAILABLE GRANTS, THE DEPARTMENT SHALL GIVE PRIORITY IN**

1 AWARDING GRANTS TO A LITERACY PROGRAM WITH PARTICIPATING STUDENTS IN
2 PREKINDERGARTEN THROUGH THIRD GRADE.

3 (D) A LITERACY PROGRAM DEVELOPED UNDER THE MARYLAND EARLY
4 LITERACY INITIATIVE PROGRAM SHALL:

5 (1) PROVIDE A FULL RANGE OF EARLY LITERACY INTERVENTION
6 SERVICES FOR PARTICIPATING STUDENTS;

7 (2) REQUIRE PARTICIPATING STUDENTS TO RECEIVE DIRECT
8 SERVICES AT LEAST TWICE A WEEK;

9 (3) HAVE CLEAR LITERACY TARGETS AT EACH GRADE LEVEL FOR
10 PARTICIPATING STUDENTS;

11 (4) HAVE BENCHMARK ASSESSMENTS THREE TIMES A YEAR TO
12 IDENTIFY STUDENTS WHO NEED ONE-ON-ONE INTERVENTIONS; AND

13 (5) COLLECT DATA ON STUDENT PROGRESS AT LEAST MONTHLY.

14 (E) THE LITERACY PROGRAM DEVELOPED AT THE QUALIFYING SCHOOL
15 UNDER THE PROGRAM SHALL BE IMPLEMENTED BY STAFF HIRED AND SUPERVISED
16 BY THE COLLABORATING NONPROFIT ORGANIZATION.

17 (F) (1) (I) FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR
18 THEREAFTER, THE GOVERNOR SHALL APPROPRIATE IN THE ANNUAL STATE
19 BUDGET \$2,500,000 TO THE PROGRAM.

20 (II) THE DEPARTMENT MAY RETAIN UP TO 3% OF THE
21 APPROPRIATION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO
22 ADMINISTER THE PROGRAM.

23 (2) THE DEPARTMENT SHALL DISTRIBUTE UP TO 50 GRANTS EACH
24 FISCAL YEAR.

25 (3) A GRANT MADE TO A COUNTY BOARD FOR A QUALIFYING SCHOOL
26 MAY NOT EXCEED \$50,000 EACH FISCAL YEAR.

27 (4) A GRANT MADE UNDER THIS SECTION SHALL BE RENEWED EACH
28 FISCAL YEAR IF THE COUNTY BOARD PRESENTS EVIDENCE TO THE DEPARTMENT
29 THAT THE QUALIFYING SCHOOL IS IN COMPLIANCE WITH THIS SECTION.

30 (5) THE QUALIFYING SCHOOL MAY APPLY FOR AND ACCEPT

1 DONATIONS, GRANTS, OR OTHER FINANCIAL ASSISTANCE FROM A GOVERNMENTAL
2 ENTITY, A NONPROFIT ORGANIZATION, OR ANY OTHER PRIVATE ORGANIZATION TO
3 BENEFIT THE LITERACY PROGRAM.

4 (G) ON OR BEFORE DECEMBER 1, 2018, THE DEPARTMENT SHALL ADOPT
5 REGULATIONS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION.

6 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,
7 2021, and on or before December 1, 2024, the Department shall:

8 (1) submit an evidence-based report summarizing the findings,
9 recommendations, and status of efforts taken under the Maryland Early Literacy Initiative
10 Program established under §5-216 of the Education Article to the Governor and, in
11 accordance with § 2-1246 of the State Government Article, to the Senate Education,
12 Health, and Environmental Affairs Committee and the House Committee on Ways and
13 Means; and

14 (2) present the findings of the report to the Senate Education, Health, and
15 Environmental Affairs Committee and the House Committee on Ways and Means.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2018. It shall remain effective for a period of 6 years and 6 months and, at the end of
18 December 31, 2024, this Act, with no further action required by the General Assembly, shall
19 be abrogated and of no further force and effect.