

Conference Committee Amendment No. 11

On page 125 of the Committee Reprint, under the heading Funding for Educational Organizations, in program R00A03.05 Student Assistance Organization Business Entity Grants, adopt Amendment 29, and in line 23 strike beginning with “provided” down through and including “education” in line 26 and substitute “provided that this appropriation may not be expended as provided in the budget as introduced. This appropriation shall be canceled at the end of the fiscal year unless expended for the program and in the manner specified below:

Broadening Options and Opportunities for Students Today

Provided that this appropriation shall be for a Broadening Options and Opportunities for Students Today (BOOST) Program that provides scholarships for students who are eligible for the free or

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reduced price lunch program to attend eligible nonpublic schools. The Maryland State Department of Education (MSDE) shall administer the grant program in accordance with the following guidelines:

- (1) To be eligible to participate in the BOOST Program, a nonpublic school must:
 - (a) participate in Program R00A03.04 Aid to Non-Public Schools Program for textbooks and computer hardware and software administered by MSDE;
 - (b) provide more than only prekindergarten and kindergarten programs;
 - (c) administer assessments to all students in accordance with federal and State law; 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 on the basis of race, color, national origin, or sexual orientation. 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 on the basis of race, color, national origin, or sexual orientation. If a nonpublic school does not comply with these requirements, it shall reimburse MSDE all scholarship funds received under the BOOST Program 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.
- (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.
- (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: 2 members appointed by the Governor, 2 members appointed by the President of the Senate, 2 members appointed by the Speaker of the House of Delegates, and 1 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.

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- (7) MSDE shall make scholarships awards to eligible students as determined by the BOOST Advisory Board.
- (8) 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.

Further provided that up to \$150,000 of the appropriation may be used by MSDE to cover the reasonable costs of administering the BOOST Program.

Further provided that MSDE shall submit a report to the budget committees by December 15, 2016, that includes the number of students that received scholarships, the amount of the scholarships, and the nonpublic schools that the students are attending. The report must also include the number of certified and noncertified teachers in core subject areas for each nonpublic school participating in the BOOST Program”; and on page 123 of the Committee Reprint, under the heading Funding for Educational Organizations, in program R00A03.04 Aid to Non-Public Schools, in line 14 following “where” strike beginning with “at” down through and including “students” in line 15 and substitute “from 20% to 40% of the students”; and in line 17 following “student” insert “, 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”.