

Conference Committee Amendment No. 17

"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 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 ROOA03.04 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 national, norm referenced standardized assessments chosen from the list of assessments published by the United States 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 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 based on 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.

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- (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. The BOOST Advisory Board shall take into account the special needs of students with disabilities when determining scholarship award amounts, and subject to the scholarship award amount limits in paragraph (8) below, may award higher scholarship amounts for students with special needs.
- (7) MSDE shall make scholarship 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.
- (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 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 no scholarship awards shall be made after March 1, 2018, for the 2017-2018 school year to eligible individuals who have not yet been offered an award. Any unexpended funds not awarded to students for scholarships in the 2017-2018 school year shall be encumbered at the end of the fiscal year and available for scholarships in the 2018-2019 school year.

Further provided that the BOOST Advisory Board shall make all scholarship awards no later than January 15, 2019, for the 2018-2019 school year to eligible individuals. Any unexpended funds not awarded to students for scholarships shall be encumbered at the end of fiscal 2019 and available for scholarships in the 2019-2020 school year.

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Further provided that the BOOST Advisory Board shall make recommendations regarding a policy to encourage nonpublic schools to admit students with special needs who receive BOOST Program scholarships. The BOOST Advisory Board shall report its recommendations to the budget committees no later than December 1, 2018.

Further provided that \$600,000 of this appropriation shall be used only for higher scholarship awards for students with special needs in accordance with paragraph (6) above.

Further provided that MSDE shall submit a report to the budget committees by January 15, 2019, 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 (1) the nonpublic school and grade level attended by the student; (2) the school attended in the 2018-2019 school year by the student; and (3) if the student attended the same nonpublic school in the 2017-2018 school year, whether, what type, and how much nonpublic scholarship aid the student received in the 2017-2018 school year and will receive in the 2018-2019 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;
- (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 2017-2018 school year who are attending public school for the 2018-2019 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 2017-2018 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"

Conference Committee Amendment No. 18

On page 142 of the Committee Reprint, under the heading Funding for Educational Organizations, in program ROOA03.05 Broadening Options and Opportunities for Students Today, adopt Amendment 44, and in line 38 strike "5,000,000" and substitute "7,000,000".