

Department of Legislative Services
 Maryland General Assembly
 2018 Session

FISCAL AND POLICY NOTE
 Third Reader - Revised

House Bill 503
 Ways and Means

(Delegate Wilkins, *et al.*)
 Education, Health, and Environmental Affairs

State Department of Education - Translation Grant Program - Established

This bill establishes a Translation Grant Program in the Maryland State Department of Education (MSDE). The program is intended to provide competitive grants to public school systems that experience a significant number of requests to translate educational materials into a student’s or parent’s native language. MSDE must develop the program, give priority in awarding grants to school systems that have a greater number of English language learners, and supervise and monitor the use of distributed grant funds. Beginning in fiscal 2020, the Governor must appropriate at least \$125,000 for grants provided through the program in the annual State budget. **The bill takes effect July 1, 2018.**

Fiscal Summary

State Effect: General fund expenditures increase by \$125,000 annually beginning in FY 2020. **This bill establishes a mandated appropriation beginning in FY 2020.**

(in dollars)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	125,000	125,000	125,000	125,000
Net Effect	\$0	(\$125,000)	(\$125,000)	(\$125,000)	(\$125,000)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Beginning in FY 2020, local school systems receive a total of \$125,000 annually; local expenditures are defrayed and/or increase by an equivalent amount. It is anticipated that public schools in Montgomery and Prince George’s counties will receive the majority of grant funding.

Small Business Effect: Small businesses that provide translation services may benefit marginally.

Analysis

Bill Summary: Grant funds may be used to translate educational materials at a school, including textbooks, workbooks, handouts, electronic academic materials, any written communications to parents or students, and on-site or over-the-phone interpretation services. If a local board of education that receives a grant in a given year continues to satisfy requirements of the program, a grant must be awarded to that local board in the following year.

By December 1, 2020, and every two years thereafter, MSDE must submit a report on the implementation of the program to the Governor and the General Assembly. This report must include:

- a description of the types of materials translated;
- the number of translations requested by parents or students;
- the languages into which the materials were translated;
- any issues noted regarding required local board of education reports; and
- an evaluation of the effectiveness of the program, based on objective performance criteria.

Local boards of education that receive grants under the program must submit a fiscal and program report to MSDE every two years, beginning October 1, 2022.

Current Law: Each local school system must establish an English language development program for those students who have been identified as English language learners by means of a home language survey as well as the State-approved English language proficiency placement assessment. Each program must involve certified English for Speakers of Other Languages teachers.

The federal Individuals with Disabilities Education Act (IDEA) requires that necessary actions be taken to ensure that the parent understands the proceedings of an individualized education program (IEP) team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English. IDEA also requires that parents are provided with notice of the decisions made at IEP and individualized family service plan (IFSP) meetings in “understandable language.” Specifically, the notice must be written in a language understandable to the general public and provided in the native language of the parent or other mode of communication (including nonwritten communication) used by the parent, unless it is clearly infeasible to do so.

Chapters 204 and 205 of 2016 authorized the parents of a child with a completed IEP or IFSP to request that the IEP or IFSP be translated into the parents’ native language, if that

language is spoken by more than 1% of students in the local school system. School personnel must provide the parents with the translated document within 30 days after the date of the request. By August 1, 2018, each local board must report to MSDE on the number of requests received for translated documents, the costs of these requests, and whether and to what extent it would be feasible for the number of requests to increase.

Under Title III of the federal Every Student Succeeds Act, the federal government provides financial support to states to improve the education of English language learners and immigrant youth to learn English and meet challenging state academic standards and to implement effective language instruction programs.

Background: The proposed fiscal 2019 State budget includes \$288.0 million in State formula aid to support education of public school students with limited English proficiency (LEP). The proposed State budget also includes \$10.4 million in federal Title III English language acquisition grants.

Exhibit 1 shows information by county regarding the number of public school students identified as LEP and on LEP enrollment as a percentage of full-time equivalent enrollment. The number of public school LEP students ranges from less than 100 in each of Allegany, Garrett, and Kent counties to over 25,000 in both Montgomery and Prince George's counties. Only Montgomery and Prince George's counties have more than 10% of their student population identified as LEP.

State Expenditures: General fund expenditures increase by \$125,000 annually beginning in fiscal 2020. MSDE can administer grants and monitor the program with existing resources.

Local Fiscal Effect: Beginning in fiscal 2020, local school systems receive a total of \$125,000 annually. Local expenditures for translation services are defrayed and/or increase by an equivalent amount. Given the relative number and percentage of LEP students enrolled in Montgomery and Prince George's counties, it is anticipated that public schools in those counties will receive the majority of annual grant funding.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Charles and Montgomery counties; Maryland State Department of Education; Department of Budget and Management; Department of Legislative Services

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Exhibit 1
Students Identified as Limited English Proficient
Fiscal 2018 and 2019

County	Fiscal 2018	Fiscal 2019	Percent Difference	LEP Students as Percent of FTE Enrollment		Change in LEP Students			
Allegany	17	15	-11.8%	1.	Prince George's	20.0%	1.	Garrett	125.0%
Anne Arundel	4,586	5,310	15.8%	2.	Montgomery	16.7%	2.	Kent	31.9%
Baltimore City	4,280	4,951	15.7%	3.	Talbot	7.3%	3.	Charles	28.7%
Baltimore	5,521	6,840	23.9%	4.	Caroline	7.3%	4.	Dorchester	26.7%
Calvert	113	141	24.8%	5.	Wicomico	6.8%	5.	Harford	26.3%
Caroline	349	397	13.8%	6.	Baltimore City	6.6%	6.	Calvert	24.8%
Carroll	280	315	12.5%	7.	Anne Arundel	6.6%	7.	Washington	24.0%
Cecil	220	262	19.1%	8.	Frederick	6.3%	8.	Baltimore	23.9%
Charles	519	668	28.7%	9.	Baltimore	6.3%	9.	Wicomico	22.5%
Dorchester	146	185	26.7%	10.	Howard	5.6%	10.	Queen Anne's	19.2%
Frederick	2,193	2,569	17.1%	11.	Somerset	4.2%	11.	Cecil	19.1%
Garrett	4	9	125.0%	12.	Dorchester	4.1%	12.	Frederick	17.1%
Harford	494	624	26.3%	13.	Kent	3.3%	13.	Howard	16.5%
Howard	2,645	3,081	16.5%	14.	Queen Anne's	3.1%	14.	Anne Arundel	15.8%
Kent	47	62	31.9%	15.	Charles	2.6%	15.	Baltimore City	15.7%
Montgomery	23,308	26,289	12.8%	16.	Washington	2.3%	16.	Prince George's	14.3%
Prince George's	22,208	25,391	14.3%	17.	Worcester	2.2%	17.	Caroline	13.8%
Queen Anne's	198	236	19.2%	18.	Cecil	1.8%	18.	St. Mary's	13.6%
St. Mary's	235	267	13.6%	19.	Harford	1.7%	19.	Montgomery	12.8%
Somerset	108	113	4.6%	20.	St. Mary's	1.6%	20.	Talbot	12.7%
Talbot	284	320	12.7%	21.	Carroll	1.3%	21.	Carroll	12.5%
Washington	400	496	24.0%	22.	Calvert	0.9%	22.	Worcester	8.8%
Wicomico	799	979	22.5%	23.	Garrett	0.2%	23.	Somerset	4.6%
Worcester	125	136	8.8%	24.	Allegany	0.2%	24.	Allegany	-11.8%
Total	69,079	79,656	15.3%		Statewide	9.3%		Statewide	15.3%

LEP: limited English proficient; FTE: full-time equivalent