

NOT ENGLISH; THE STUDENT COMES FROM AN ENVIRONMENT WHERE A LANGUAGE OTHER THAN ENGLISH IS DOMINANT; OR THE STUDENT IS AN AMERICAN INDIAN OR ALASKAN NATIVE AND COMES FROM AN ENVIRONMENT WHERE A LANGUAGE OTHER THAN ENGLISH HAS HAD A SIGNIFICANT IMPACT ON HIS/HER LEVEL OF ENGLISH LANGUAGE PROFICIENCY.

(III) "NON- AND LIMITED-ENGLISH PROFICIENT STUDENT COUNT" MEANS THE NUMBER OF NON- AND LIMITED-ENGLISH PROFICIENT STUDENTS AS OF ~~OCTOBER 31~~ MAY 15 OF A SCHOOL YEAR.

(2) EXCEPT AS PROVIDED UNDER REGULATIONS ADOPTED BY THE STATE BOARD OF EDUCATION, A STUDENT MAY NOT BE INCLUDED IN THE NON- AND LIMITED-ENGLISH PROFICIENCY STUDENT COUNT FOR MORE THAN 2 SCHOOL YEARS.

(B) (1) BEGINNING IN FISCAL YEAR 1995, THE DEPARTMENT SHALL DISTRIBUTE ANNUALLY TO EACH COUNTY BOARD A GRANT FOR THE PURPOSE OF PROVIDING INSTRUCTION AND SERVICES TO NON- AND LIMITED-ENGLISH PROFICIENT STUDENTS.

(2) (I) IN FISCAL YEAR 1995, THE AMOUNT OF THE GRANT SHALL BE ~~NO LESS THAN \$600 \$500 TIMES~~ DISTRIBUTED ON THE BASIS OF THE NON- AND LIMITED-ENGLISH PROFICIENT STUDENT COUNT FOR THE SCHOOL YEAR PRIOR TO THE FISCAL YEAR FOR WHICH THE APPROPRIATION IS PROVIDED.

(II) FOR FISCAL YEAR 1996 AND EVERY YEAR THEREAFTER, THE ~~AMOUNT OF THE GRANT SHALL EQUAL~~ GOVERNOR SHALL INCLUDE IN THE STATE BUDGET FUNDING FOR THE GRANT, IN AN AMOUNT AT LEAST EQUAL TO \$500 TIMES THE NON- AND LIMITED-ENGLISH PROFICIENT STUDENT COUNT FOR THE SECOND PRECEDING SCHOOL YEAR PRIOR TO THE FISCAL YEAR FOR WHICH THE APPROPRIATION IS PROVIDED. ~~THE AMOUNT OF THE GRANT FOR THE PREVIOUS FISCAL YEAR INCREASED BY THE SAME PERCENTAGE AS THE INCREASE IN THE CONSUMER PRICE INDEX IN MARYLAND FOR THE PRECEDING FISCAL YEAR.~~

(3) TO BE ELIGIBLE TO RECEIVE THE GRANTS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION, A COUNTY BOARD SHALL HAVE PROGRAMS FOR PROVIDING INSTRUCTION AND SERVICES TO NON- AND LIMITED-ENGLISH PROFICIENT STUDENTS THAT ARE APPROVED BY THE DEPARTMENT.

(C) (1) THE DEPARTMENT SHALL ESTABLISH GUIDELINES FOR PROGRAMS FOR NON- AND LIMITED-ENGLISH PROFICIENT STUDENTS.

(2) A COUNTY BOARD SHALL EXPEND THE STATE FUNDS RECEIVED UNDER THIS SECTION FOR PROGRAMS FOR NON- AND LIMITED-ENGLISH PROFICIENT STUDENTS AND SHALL REPORT ANNUALLY TO THE DEPARTMENT ON THE ACTUAL EXPENDITURES OF THE STATE FUNDS RECEIVED UNDER THIS SECTION.

5-203.2.

(A) IN THIS SECTION, "STUDENT LIVING IN POVERTY" MEANS A STUDENT WHO QUALIFIES FOR A FREE OR REDUCED PRICE LUNCH.