

HOUSE BILL 1026

F1

3lr1305

By: **Delegate Clagett**

Introduced and read first time: February 8, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Public School Funding – Calculation**

3 FOR the purpose of altering the definition of “full–time equivalent enrollment” in the
4 calculation for certain State aid for education; requiring that public schools be
5 funded based on a certain calculation of pupil attendance at certain times
6 during the school year; requiring that State aid for education be weighted in a
7 certain manner; providing for the application of this Act; and generally relating
8 to the calculation of public school funding.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 5–202(a)(6) and 5–212
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2012 Supplement)

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

16 **Article – Education**

17 5–202.

18 (a) (6) “Full–time equivalent enrollment” means the sum of:

19 (i) The number of students enrolled in grades 1 through 12 or
20 their equivalent in regular day school programs on September 30 **OR MARCH 31** of
21 the previous school year;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Except as provided in item (iii) of this paragraph, the
2 product of the number of students enrolled in kindergarten programs on September 30
3 **OR MARCH 31** of the prior school year and:

- 4 1. 0.60 in fiscal year 2004;
- 5 2. 0.70 in fiscal year 2005;
- 6 3. 0.80 in fiscal year 2006;
- 7 4. 0.90 in fiscal year 2007; and
- 8 5. 1.00 in fiscal year 2008 and each fiscal year
9 thereafter;

10 (iii) In Garrett County, the number of students enrolled in
11 kindergarten programs on September 30 **OR MARCH 31** of the prior school year; and

12 (iv) The number of full-time equivalent students, as determined
13 by a regulation of the Department, enrolled in evening high school programs during
14 the previous school year.

15 5-212.

16 (a) Ten days before the end of July, September, November, January, March,
17 and May, the State Superintendent shall certify to the State Comptroller the amount
18 due at the end of each of these months to each county board for the annual State share
19 of:

- 20 (1) Funding for the foundation program under § 5-202 of this subtitle;
- 21 (2) Transportation aid under § 5-205 of this subtitle;
- 22 (3) Funding for compensatory education under § 5-207 of this subtitle;
- 23 (4) Funding for students with limited English proficiency under §
24 5-208 of this subtitle;
- 25 (5) Funding for special education students under § 5-209 of this
26 subtitle;
- 27 (6) Funding for the guaranteed tax base program under § 5-210 of this
28 subtitle; and
- 29 (7) Any money provided in the Department's budget for special
30 education services under § 8-414 of this article.

1 (b) Amounts due shall be made [in equal payments] once every 2 months
2 **AND WEIGHTED BASED ON THE FOLLOWING:**

3 **(1) 70% OF THE STATE SHARE TO A COUNTY BOARD BASED ON**
4 **THE NUMBER OF STUDENTS ENROLLED ON SEPTEMBER 30 OF THE PREVIOUS**
5 **SCHOOL YEAR AS PROVIDED IN §§ 5-202, 5-205, 5-207, 5-208, 5-209, AND**
6 **5-210 OF THIS SUBTITLE; AND**

7 **(2) 30% OF THE STATE SHARE TO A COUNTY BOARD BASED ON**
8 **THE NUMBER OF STUDENTS ENROLLED ON MARCH 31 OF THE PREVIOUS**
9 **SCHOOL YEAR AS PROVIDED IN §§ 5-202, 5-205, 5-207, 5-208, 5-209, AND**
10 **5-210 OF THIS SUBTITLE.**

11 (c) Within 5 days before the end of each of these months, the State
12 Comptroller shall draw the Comptroller's warrant on the State Treasurer for the
13 amount due to the treasurer of each county board.

14 (d) On receipt of the warrant of the State Comptroller, the State Treasurer
15 immediately shall pay the amount due to the treasurer of each county board.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2013, and shall be applicable to the calculation of payments of State aid for
18 education for all fiscal years beginning after June 30, 2014.