
By: **Delegates Hixson, Franchot, Rawlings, and Bozman**
Introduced and read first time: February 11, 2000
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Nonpublic Schools - State Grants**

3 FOR the purpose of establishing criteria for the approval of State grants for the
4 purchase of textbooks for certain nonpublic schools under certain circumstances;
5 specifying certain eligibility requirements that a nonpublic school must satisfy
6 to qualify for a grant; making certain nonpublic schools ineligible for the grants;
7 defining certain terms; authorizing the State Superintendent of Schools to
8 purchase certain textbooks and distribute them to certain nonpublic schools
9 under certain circumstances; requiring the Maryland State Department of
10 Education to adopt certain regulations; and generally relating to the use of
11 certain State funds to purchase textbooks for certain nonpublic schools in the
12 State.

13 BY adding to
14 Article - Education
15 Section 5-213
16 Annotated Code of Maryland
17 (1999 Replacement Volume)

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

20 **Article - Education**

21 5-213.

22 (A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE MEANINGS
23 INDICATED.

24 (2) "AVERAGE PER PUPIL EXPENDITURE" MEANS THE AVERAGE COST OF
25 PROVIDING EDUCATIONAL AND RELATED SERVICES TO THE STUDENTS OF EACH
26 LOCAL SCHOOL SYSTEM AS DETERMINED BY THE DEPARTMENT AND INCLUDES THE
27 FOLLOWING OPERATING COSTS:

28 (I) ADMINISTRATION;

- 1 (II) MID-LEVEL ADMINISTRATION;
- 2 (III) INSTRUCTIONAL SALARIES AND WAGES;
- 3 (IV) TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIALS;
- 4 (V) OTHER INSTRUCTIONAL COSTS;
- 5 (VI) SPECIAL EDUCATION;
- 6 (VII) STUDENT PERSONNEL SERVICES;
- 7 (VIII) HEALTH SERVICES;
- 8 (IX) STUDENT TRANSPORTATION;
- 9 (X) OPERATION OF PLANT;
- 10 (XI) MAINTENANCE OF PLANT;
- 11 (XII) FIXED CHARGES; AND
- 12 (XIII) STATE-PAID TEACHERS' RETIREMENT.

13 (3) "AVERAGE PER PUPIL EXPENDITURE" DOES NOT INCLUDE
14 EXPENDITURES FOR:

- 15 (I) NONPUBLIC SPECIAL EDUCATION PLACEMENTS;
- 16 (II) TUITION PAYMENTS; OR
- 17 (III) INTERFUND TRANSFERS.

18 (4) "STUDENT LIVING IN POVERTY" MEANS A STUDENT WHO QUALIFIES
19 FOR A FREE OR REDUCED PRICE LUNCH.

20 (5) "MARYLAND SCHOOL PERFORMANCE PROGRAM" MEANS A
21 PERFORMANCE BASED EDUCATION ACCOUNTABILITY PROGRAM ADMINISTERED BY
22 THE DEPARTMENT THAT FOCUSES ON SCHOOL IMPROVEMENT IN THE PUBLIC
23 SCHOOLS.

24 (B) IT IS THE INTENT OF THIS SECTION TO PROVIDE GRANTS TO PURCHASE
25 TEXTBOOKS FOR NONPUBLIC SCHOOLS IN THE STATE THAT PROVIDE QUALITY
26 ELEMENTARY AND SECONDARY EDUCATION AT AN AFFORDABLE PRICE TO A
27 DIVERSE AND REPRESENTATIVE POPULATION OF STATE STUDENTS.

28 (C) SUBJECT TO SUBSECTION (D) OF THIS SECTION, A NONPUBLIC SCHOOL
29 MAY QUALIFY FOR A GRANT UNDER THIS SECTION IF:

- 30 (1) AT LEAST 20% OF THE SCHOOL STUDENT ENROLLMENT IS
31 COMPOSED OF STUDENTS LIVING IN POVERTY;

1 (2) THE ANNUAL CHARGES FOR TUITION AND MANDATORY FEES FOR
2 THE SCHOOL DO NOT EXCEED THE ANNUAL STATEWIDE AVERAGE PER PUPIL
3 EXPENDITURE; AND

4 (3) THE SCHOOL PARTICIPATES IN THE MARYLAND SCHOOL
5 PERFORMANCE PROGRAM.

6 (D) A NONPUBLIC SCHOOL THAT IS LOCATED IN A COUNTY THAT HAS
7 ADOPTED A VOTER-INITIATED OR VOTER-APPROVED LIMITATION ON THE PROPERTY
8 TAX RATE OR INCOME TAX RATE THAT THE COUNTY MAY IMPOSE IS NOT ELIGIBLE
9 FOR A GRANT UNDER THIS SECTION.

10 (E) (1) TO THE EXTENT THAT FUNDS ARE PROVIDED IN THE STATE BUDGET,
11 THE STATE SUPERINTENDENT ANNUALLY SHALL PURCHASE TEXTBOOKS APPROVED
12 BY THE DEPARTMENT AND DISTRIBUTE THEM TO NONPUBLIC SCHOOLS THAT MEET
13 THE CRITERIA ESTABLISHED UNDER THIS SECTION.

14 (2) THE DECISION BY THE DEPARTMENT WHETHER TO APPROVE A
15 REQUEST FROM A NONPUBLIC SCHOOL FOR A GRANT TO PURCHASE TEXTBOOKS
16 UNDER THIS SECTION IS FINAL AND MAY NOT BE APPEALED.

17 (F) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT
18 THIS SECTION.

19 (2) THE REGULATIONS SHALL INCLUDE:

20 (I) GRANT APPLICATION PROCEDURES;

21 (II) THE DEADLINE FOR GRANT APPLICATIONS; AND

22 (III) ANY OTHER CRITERIA THE DEPARTMENT DETERMINES.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2000.