

# SENATE BILL 822

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By: **Senators Rosapepe, Benson, Ferguson, Madaleno, and Montgomery**  
Introduced and read first time: January 31, 2014  
Assigned to: Budget and Taxation

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## A BILL ENTITLED

AN ACT concerning

### **Early-In Early-Out Education Act of 2014**

FOR the purpose of including students who graduated from high school before a certain grade in the definition of “full-time equivalent enrollment” for the purpose of certain State education aid calculations; restricting the use of certain funds for the purpose of expanding prekindergarten programs for certain children; repealing an obsolete provision; and generally relating to State education aid.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(a)(6) and (b), 5–207(b), 5–208(b)(2), 5–209(b), and 5–210(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 5–207(a)(6), 5–208(a)(3), 5–209(a)(3), and 5–210(a)(4)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

### **Article – Education**

5–202.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(i) The number of students enrolled in grades 1 through 12 or their equivalent in regular day school programs on September 30 of the previous school year;

(ii) [Except as provided in item (iii) of this paragraph, the product of the] **THE** number of students enrolled in kindergarten programs on September 30 of the prior school year [and:

1. 0.60 in fiscal year 2004;
2. 0.70 in fiscal year 2005;
3. 0.80 in fiscal year 2006;
4. 0.90 in fiscal year 2007; and
5. 1.00 in fiscal year 2008 and each fiscal year thereafter];

(iii) [In Garrett County, the number of students enrolled in kindergarten programs on September 30 of the prior school year; and

(iv)] The number of full-time equivalent students, as determined by a regulation of the Department, enrolled in evening high school programs during the previous school year; **AND**

**(IV) THE NUMBER OF STUDENTS WHO GRADUATED FROM HIGH SCHOOL BEFORE GRADE 12 IN THE PREVIOUS SCHOOL YEAR.**

(b) **(1)** Subject to the other provisions of this section **AND SUBJECT TO THE LIMITATION UNDER PARAGRAPH (2) OF THIS SUBSECTION**, each year the State shall distribute the State share of the foundation program to each county board.

**(2) THE AMOUNT OF FUNDS RESULTING FROM SUBSECTION (A)(6)(IV) OF THIS SECTION MAY BE USED BY THE COUNTY BOARD ONLY TO EXPAND PREKINDERGARTEN PROGRAMS AS PROVIDED UNDER TITLE 7, SUBTITLE 1 OF THIS ARTICLE.**

5-207.

(a) **(6)** "Full-time equivalent enrollment" has the meaning stated in § 5-202 of this subtitle.

(b) (1) [Each] **SUBJECT TO THE LIMITATION IN PARAGRAPH (2) OF THIS SUBSECTION, EACH** year the State shall distribute compensatory education grants to county boards.

(2) **THE AMOUNT OF FUNDS RESULTING FROM § 5-202(A)(6)(IV) OF THIS SUBTITLE MAY BE USED BY THE COUNTY BOARD ONLY TO EXPAND PREKINDERGARTEN PROGRAMS AS PROVIDED UNDER TITLE 7, SUBTITLE 1 OF THIS ARTICLE.**

5-208.

(a) (3) “Full-time equivalent enrollment” has the meaning stated in § 5-202 of this subtitle.

(b) (2) (I) For fiscal year 2008 and each fiscal year thereafter, **SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,** the State shall distribute Tier II LEP grants to county boards.

(II) **THE AMOUNT OF FUNDS RESULTING FROM § 5-202(A)(6)(IV) OF THIS SUBTITLE MAY BE USED BY THE COUNTY BOARD ONLY TO EXPAND PREKINDERGARTEN PROGRAMS AS PROVIDED UNDER TITLE 7, SUBTITLE 1 OF THIS ARTICLE.**

5-209.

(a) (3) “Full-time equivalent enrollment” has the meaning stated in § 5-202 of this subtitle.

(b) (1) [Each] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, EACH** year the State shall distribute Tier II special education grants to county boards.

(2) **THE AMOUNT OF FUNDS RESULTING FROM § 5-202(A)(6)(IV) OF THIS SUBTITLE MAY BE USED BY THE COUNTY BOARD ONLY TO EXPAND PREKINDERGARTEN PROGRAMS AS PROVIDED UNDER TITLE 7, SUBTITLE 1 OF THIS ARTICLE.**

5-210.

(a) (4) “Full-time equivalent enrollment” has the meaning stated in § 5-202 of this subtitle.

(b) (1) For fiscal year 2005 and each fiscal year thereafter, **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,** the State shall distribute guaranteed tax base grants to county boards as provided in this section.

**(2) THE AMOUNT OF FUNDS RESULTING FROM § 5-202(A)(6)(IV) OF THIS SUBTITLE MAY BE USED BY THE COUNTY BOARD ONLY TO EXPAND PREKINDERGARTEN PROGRAMS AS PROVIDED UNDER TITLE 7, SUBTITLE 1 OF THIS ARTICLE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.