

**Article - Education**

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§5-205.

(a) The State shall distribute grants as provided under this section to the county boards to provide transportation services for public school students and disabled children for whom transportation is to be provided under § 8-410 of this article. Appropriations for student transportation shall be budgeted in a separate budget category as provided in § 5-101 of this title. If the amount that is appropriated to a county under this section in a fiscal year is more than the actual cost of providing student transportation services in that county, a county board may apply any excess funds to costs of pupil transportation in subsequent years. None of these funds may be paid to or claimed by any subdivision, nor may any of these funds be reverted to any subdivision. A county board may not transfer State revenues from the student transportation category to any other category as a result of this section.

(b) For the purpose of calculating the 2004 base grants for student transportation to county boards, the following amounts shall be used as the fiscal year 2003 base grant amounts:

(1) Allegany.....	\$2,838,327
(2) Anne Arundel .....	\$12,716,216
(3) Baltimore City.....	\$10,303,967
(4) Baltimore.....	\$15,715,504
(5) Calvert.....	\$3,294,141
(6) Caroline .....	\$1,580,176
(7) Carroll.....	\$5,738,454
(8) Cecil.....	\$2,997,774
(9) Charles.....	\$5,813,595
(10) Dorchester .....	\$1,465,299
(11) Frederick .....	\$6,620,447
(12) Garrett.....	\$1,886,605
(13) Harford .....	\$7,277,627
(14) Howard .....	\$8,460,292

(15) Kent .....	\$985,359
(16) Montgomery .....	\$18,663,456
(17) Prince George's.....	\$21,018,217
(18) Queen Anne's.....	\$1,952,856
(19) St. Mary's.....	\$3,673,545
(20) Somerset .....	\$1,143,107
(21) Talbot.....	\$981,334
(22) Washington .....	\$3,784,100
(23) Wicomico.....	\$3,001,531
(24) Worcester.....	\$1,856,978

(c) (1) In this subsection, “full-time equivalent enrollment” has the meaning stated in § 5-202 of this subtitle.

(2) Subject to the limitations under paragraph (3) of this subsection, for fiscal year 2004 and every year thereafter the amount of a county’s base grant for student transportation shall be equal to the amount of the county’s base grant for student transportation for the previous year increased by the same percentage as the increase in the private transportation category of the Consumer Price Index for all urban consumers, for the Washington–Baltimore metropolitan area, as of July of the fiscal year preceding the year for which the amount is being calculated, plus an additional amount equal to the product of:

(i) The total amount of funds distributed by the State as base grants for student transportation for the previous fiscal year divided by the statewide full-time equivalent enrollment for the previous fiscal year; and

(ii) The difference between the full-time equivalent enrollment in a county for the current fiscal year and the full-time equivalent enrollment in the county for the previous fiscal year, or, if the full-time equivalent enrollment in a county for the current fiscal year is less than the full-time equivalent enrollment in the county for the previous fiscal year, zero.

(3) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, the increase in the amount of a base grant for student transportation that is based on the increase in the private transportation category of the Consumer Price Index may not be less than 1 percent nor more than 8 percent of the amount of the grant for the previous year.

(ii) For fiscal year 2011, the increase in the amount of a base grant for student transportation that is based on the increase in the private transportation category of the Consumer Price Index shall be 1 percent of the amount of the grant for the previous year.

(iii) For each of fiscal years 2012 through 2015, the increase in the amount of a base grant for student transportation that is based on the increase in the private transportation category of the Consumer Price Index may not be more than 1 percent of the amount of the grant for the previous year.

(d) For each fiscal year, in addition to the base grant for student transportation provided under subsection (c) of this section, a disabled student transportation grant shall be distributed to each county board. The amount of the grant to each board shall be equal to the product of the number of disabled students requiring special transportation services who are transported by the county board in the previous fiscal year and:

- (1) \$600 in fiscal year 2004;
- (2) \$700 in fiscal year 2005;
- (3) \$800 in fiscal year 2006;
- (4) \$900 in fiscal year 2007; and
- (5) \$1,000 in fiscal year 2008 and each fiscal year thereafter.

(e) For the purposes of determining the amount of the grant provided under subsection (d) of this section, the State Board shall develop a procedure and adopt regulations for determining the number of disabled students transported in each jurisdiction in the previous fiscal year.

(f) The State Board shall adopt rules and regulations that provide for the safe operation of the student transportation system of each county board of education.

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