
By: Senator Pinsky

Introduced and read first time: January 25, 1996

Assigned to: Budget and Taxation and Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Maintenance of Effort Requirements**

3 FOR the purpose of requiring a county board or superintendent at the request of the
4 county governing body to report to the county governing body on the school system's
5 operations on or before certain dates; requiring a county governing body at the
6 request of the county board to report to the county board on the county's fiscal
7 status and projections on or before certain dates; altering certain local primary and
8 secondary education funding requirements; allowing a local board of education to
9 exclude from the calculation of certain local primary and secondary education
10 funding requirements certain costs under certain circumstances; and generally
11 relating to the calculation of certain local primary and secondary education funding
12 requirements.

13 BY adding to

14 Article - Education
15 Section 5-109(d) and (e)
16 Annotated Code of Maryland
17 (1992 Replacement Volume and 1995 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article - Education
20 Section 5-202(b)(3)
21 Annotated Code of Maryland
22 (1992 Replacement Volume and 1995 Supplement)

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

25 **Article - Education**

26 5-109.

27 (D) (1) AT THE REQUEST OF THE COUNTY GOVERNING BODY, THE COUNTY
28 BOARD OR SUPERINTENDENT SHALL REPORT TO THE COUNTY GOVERNING BODY
29 ON OR BEFORE NOVEMBER 1 AND MARCH 1 OF EACH FISCAL YEAR ON THE SCHOOL
30 SYSTEM'S OPERATIONS, INCLUDING ANY ADJUSTMENTS MADE TO THE APPROVED
31 ANNUAL BUDGET.

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1 (2) A REPORT UNDER THIS SUBSECTION SHALL BE MADE AVAILABLE
2 TO ALL INTERESTED PERSONS.

3 (E) (1) AT THE REQUEST OF THE COUNTY BOARD, THE COUNTY
4 GOVERNING BODY SHALL REPORT TO THE COUNTY BOARD ON OR BEFORE
5 NOVEMBER 1 AND MARCH 1 OF EACH FISCAL YEAR ON THE COUNTY'S FISCAL
6 BUDGET STATUS AND FISCAL PROJECTIONS FOR THE IMMEDIATE FUTURE 6-MONTH
7 PERIOD AND IMMEDIATE FUTURE 12-MONTH PERIOD.

8 (2) A REPORT UNDER THIS SUBSECTION SHALL BE MADE AVAILABLE
9 TO ALL INTERESTED PERSONS.

10 5-202.

11 (b) (3) (I) To be eligible to receive the State share of basic current expenses:

12 [(i)] 1. The county governing body shall levy an annual tax sufficient
13 to provide an amount of revenue for elementary and secondary public education purposes
14 equal to the product of the wealth of the county and a local contribution rate determined
15 for each fiscal year; [and

16 (ii) 1.] 2. The county governing body shall appropriate local funds to
17 the school operating budget in an amount no less than the greater of [the]:

18 A. THE HIGHEST LOCAL APPROPRIATION TO THE SCHOOL
19 OPERATING BUDGET IN THE PRIOR FISCAL YEAR; OR

20 B. THE product of MULTIPLYING the full-time equivalent
21 enrollment used in calculating the current expense aid for the current fiscal year [and]
22 TIMES the local appropriation on a per pupil basis for the prior fiscal year [or the highest
23 local appropriation to the school operating budget in the prior fiscal year], ADJUSTED AS
24 PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH; AND

25 3. THE COUNTY GOVERNING BODY SHALL APPROPRIATE
26 RESOURCES AT A LEVEL CONSISTENT WITH THE COUNTY BOARD'S REQUIREMENTS
27 OF MEETING THE OBJECTIVE OF PROVIDING EACH PUPIL WITH AN OPPORTUNITY
28 TO LEARN THAT IS CONSISTENT WITH THE RULES, REGULATIONS, AND VISION OF
29 THE STATE BOARD AND THE DEPARTMENT'S MARYLAND SCHOOL PERFORMANCE
30 PROGRAM.

31 (II) FOR PURPOSES OF DETERMINING THE MINIMUM
32 APPROPRIATION REQUIRED UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH, THE
33 PRODUCT DETERMINED UNDER SUBPARAGRAPH (I)2.B OF THIS PARAGRAPH SHALL
34 BE MULTIPLIED BY A FRACTION BASED ON THE OVERALL COUNTY SCHOOL
35 SYSTEM'S ANNUAL AVERAGE SYSTEM WIDE PERFORMANCE RATING ON THE
36 DEPARTMENT'S MARYLAND SCHOOL PERFORMANCE PROGRAM ANNUAL
37 MARYLAND SCHOOL PERFORMANCE REPORT AS FOLLOWS:

38 1. IF THE AVERAGE SYSTEM WIDE PERFORMANCE RATING
39 IS 100%, THE FRACTION SHALL BE 80%;

40 2. IF THE AVERAGE SYSTEM WIDE PERFORMANCE RATING
41 IS 95%, THE FRACTION SHALL BE 85%;

