Unofficial Copy 1996 Regular Session F1 6lr1649

**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
- 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	(2) A REPORT UNDER THIS SUBSECTION SHALL BE MADE AVAILABLE TO ALL INTERESTED PERSONS.
5 6	(E) (1) AT THE REQUEST OF THE COUNTY BOARD, THE COUNTY GOVERNING BODY SHALL REPORT TO THE COUNTY BOARD ON OR BEFORE NOVEMBER 1 AND MARCH 1 OF EACH FISCAL YEAR ON THE COUNTY'S FISCAL BUDGET STATUS AND FISCAL PROJECTIONS FOR THE IMMEDIATE FUTURE 6-MONTH PERIOD AND IMMEDIATE FUTURE 12-MONTH PERIOD.
8 9	(2) A REPORT UNDER THIS SUBSECTION SHALL BE MADE AVAILABLE TO ALL INTERESTED PERSONS.
10	5-202.
11	(b) (3) (I) To be eligible to receive the State share of basic current expenses:
14	[(i)] 1. The county governing body shall levy an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes equal to the product of the wealth of the county and a local contribution rate determined for each fiscal year; [and
16 17	(ii) 1.] 2. The county governing body shall appropriate local funds to the school operating budget in an amount no less than the greater of [the]:
18 19	A. THE HIGHEST LOCAL APPROPRIATION TO THE SCHOOL OPERATING BUDGET IN THE PRIOR FISCAL YEAR; OR
22 23	B. THE product of MULTIPLYING the full-time equivalent enrollment used in calculating the current expense aid for the current fiscal year [and] TIMES the local appropriation on a per pupil basis for the prior fiscalyear [or the highest local appropriation to the school operating budget in the prior fiscal year], ADJUSTED AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH; AND
27 28 29	3. THE COUNTY GOVERNING BODY SHALL APPROPRIATE RESOURCES AT A LEVEL CONSISTENT WITH THE COUNTY BOARD'S REQUIREMENTS OF MEETING THE OBJECTIVE OF PROVIDING EACH PUPIL WITH AN OPPORTUNITY TO LEARN THAT IS CONSISTENT WITH THE RULES, REGULATIONS, AND VISION OF THE STATE BOARD AND THE DEPARTMENT'S MARYLAND SCHOOL PERFORMANCE PROGRAM.
33 34 35 36	(II) FOR PURPOSES OF DETERMINING THE MINIMUM APPROPRIATION REQUIRED UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH, THE PRODUCT DETERMINED UNDER SUBPARAGRAPH (I)2.B OF THIS PARAGRAPH SHALL BE MULTIPLIED BY A FRACTION BASED ON THE OVERALL COUNTY SCHOOL SYSTEM'S ANNUAL AVERAGE SYSTEM WIDE PERFORMANCE RATING ON THE DEPARTMENT'S MARYLAND SCHOOL PERFORMANCE PROGRAM ANNUAL MARYLAND SCHOOL PERFORMANCE REPORT AS FOLLOWS:
38 39	1. IF THE AVERAGE SYSTEM WIDE PERFORMANCE RATING IS 100%, THE FRACTION SHALL BE 80%;
40 41	2. IF THE AVERAGE SYSTEM WIDE PERFORMANCE RATING IS 95%, THE FRACTION SHALL BE 85%;

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1 2	3. IF THE AVERAGE SYSTEM WIDE PERFORMANCE RATING IS 90%, THE FRACTION SHALL BE 90%;
3	4. IF THE AVERAGE SYSTEM WIDE PERFORMANCE RATING IS 85%, THE FRACTION SHALL BE 95%; AND
5	5. IF THE AVERAGE SYSTEM WIDE PERFORMANCE RATING
6	IS LESS THAN 85%, THE FRACTION SHALL BE 100%.
7	[2.] (III) 1. [For] EXCEPT AS PROVIDED IN
•	[2.] (III) 1. [For] EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR purposes of this paragraph, the
8	
8	SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR purposes of this paragraph, the
8 9 10	SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR purposes of this paragraph, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by
8 9 10 11	SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR purposes of this paragraph, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by dividing the county's highest local appropriation to its school operating budget for the
8 9 10 11 12	SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR purposes of this paragraph, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by dividing the county's highest local appropriation to its school operating budget for the prior fiscal year by the full-time equivalent enrollment used to calculate the current
8 9 10 11 12 13	SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR purposes of this paragraph, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by dividing the county's highest local appropriation to its school operating budget for the prior fiscal year by the full-time equivalent enrollment used to calculate the current expense aid for the county for the prior fiscal year. For example, the calculation of the
8 9 10 11 12 13 14	SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR purposes of this paragraph, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by dividing the county's highest local appropriation to its school operating budget for the prior fiscal year by the full-time equivalent enrollment used to calculate the current expense aid for the county for the prior fiscal year. For example, the calculation of the current expense aid for fiscal year 1985 shall be based on the highest local appropriation

- 17 2. FOR PURPOSES OF THIS PARAGRAPH, THE CALCULATION
- 18 OF THE COUNTY'S HIGHEST LOCAL APPROPRIATION TO THE SCHOOL OPERATING
- 19 BUDGET FOR THE PRIOR FISCAL YEAR SHALL EXCLUDE A NONRECURRING COST
- 20 FOR PROCUREMENT OF DATA PROCESSING EQUIPMENT THAT IS SUPPLEMENTAL TO
- 21 THE ANNUAL SCHOOL OPERATING BUDGET IF THE EXCLUSION HAS BEEN
- 22 APPROVED BY THE STATE SUPERINTENDENT IN ACCORDANCE WITH REGULATIONS
- 23 ADOPTED BY THE STATE BOARD.
- 24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 25 October 1, 1996.