

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Revised

House Bill 364 (Delegates Minnick and Dewberry)
(Baltimore County Administration)

Ways and Means

Ref. to Economic & Environmental Affairs

Education - Public Schools - Domicile

This enrolled bill requires a child to attend a public school in the county where the child is domiciled with the child's parent or guardian. A county superintendent of schools may provide for certain exceptions. The bill imposes penalties on a parent or guardian whose child fraudulently attends a public school where the child is not domiciled with the child's parent or guardian.

This bill takes effect July 1, 1997.

Fiscal Summary

State Effect: None.

Local Effect: Indeterminate increase in local revenues. Expenditures would not be affected.

Small Business Effect: None. Small businesses are not directly affected.

Fiscal Analysis

Local Effect: Local school systems, except under certain conditions, already require students to attend schools in the jurisdiction where their legal custodians reside. Howard County advises that pupil service workers currently investigate student records to ensure that the student's legal custodian resides within the county. Further, the county only admits those students whose parents or guardians hold legal residence within the county. Approximately 500 students attempt to attend Howard County schools illegally each year.

The bill would enable local school districts to recover a portion of the costs of educating a

child who unlawfully attends a public school. The actual revenue increase would depend upon (1) the number of children caught attending public schools where their legal custodians do not reside; (2) tuition rate at each local school district; and (3) length of time that children unlawfully attended classes at the public school.

Additional Comments: The cost of educating students varies throughout the State, with the statewide per pupil expenditure totaling \$6,400 in fiscal 1995. As shown in **Exhibit 1**, the amount ranges from \$5,400 in Caroline County to \$7,787 in Montgomery County. Since education funding is shared by the federal, State, and local governments, the level of local support for public schools varies. For example, in 1995 (**Exhibit 2**), local governments contributed 55% of total education funding, with the State providing 40%. The local share ranges from 30% in Baltimore City to 78% in Montgomery County.

In addition, this legislation would not affect the out-of-county educational placement of students made by a State agency, licensed child placement agency, or the courts. In fiscal 1995, 927 students attended public schools outside the county where the student's parent or legal guardian resided as a result of an out-of-county placement.

Information Source(s): Department of Fiscal Services, Maryland State Department of Education, Maryland Association of Boards of Education

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