

HOUSE BILL 948

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F5

2003 Regular Session
(31r2393)

ENROLLED BILL
-- Appropriations/Budget and Taxation --

Introduced by **Delegate Proctor**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland School for the Blind - Funding**

3 FOR the purpose of ~~altering the amount that counties shall pay~~ requiring each county
4 board of education to pay a certain amount to the Maryland School for the Blind
5 each year; requiring certain county governing bodies to include certain children
6 in a certain enrollment count; repealing certain provisions related to payments to
7 the Maryland School for the Blind; altering the calculation of the appropriation
8 for the Maryland School for the Blind; defining a certain term; providing for a
9 delayed effective date; and generally relating to funding for the Maryland School
10 for the Blind.

11 BY repealing and reenacting, with amendments,
12 Article - Education
13 Section ~~8-310(a)~~ 8-310 and ~~8-317~~
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2002 Supplement)

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

3 **Article - Education**

4 8-310.

5 (a) (1) Each county BOARD shall pay the Maryland School for the Blind
6 [\$200 a year] AN AMOUNT EQUAL TO THE LOCAL SHARE OF THE BASIC COST, AS
7 DEFINED IN § 8-415(D)(1) OF THIS TITLE, for each blind child who is sent to the school
8 from the county EACH YEAR TO SUPPORT THE COST OF INSTRUCTIONAL
9 PROGRAMMING.

10 (2) EACH COUNTY GOVERNING BODY SHALL INCLUDE A CHILD SENT TO
11 THE MARYLAND SCHOOL FOR THE BLIND UNDER PARAGRAPH (1) OF THIS
12 SUBSECTION IN THE FULL-TIME EQUIVALENT ENROLLMENT USED FOR
13 CALCULATING THE REQUIRED LOCAL FUNDS APPROPRIATED UNDER § 5-202(D) OF
14 THIS TITLE.

15 (b) The Board of Directors of the Maryland School for the Blind shall give each
16 county [treasurer and the Comptroller of Baltimore City] BOARD on April 1 and
17 October 1 of each year a statement that contains:

18 (1) The number of blind children who are attending from the county; and

19 (2) The name of each blind child from the county and charged to the
20 county.

21 (c) (1) The county council, board of county commissioners, or Mayor and City
22 Council of Baltimore City shall pay to the Maryland School for the Blind on or before
23 May 1 and November 1 of each year \$100 for each child who is sent to the school from
24 the county certified as of April 1 and October 1 to the treasurer of the county and the
25 Comptroller of Baltimore City by the Board of Directors of the Maryland School for the
26 Blind.

27 (2) These payments are considered payments for tuition.

28 (d) (1) Each year, the county council, board of county commissioners, or
29 Mayor and City Council of Baltimore City shall levy on the assessable property of the
30 county an amount equal to \$200 for each blind child who is sent to the Maryland
31 School for the Blind from the county.

32 (2) The amount of annual tax levied by a county shall be enough to
33 provide for the number of blind children who are sent from the county based on the
34 certification of the previous year by the Board of Directors of the Maryland School for
35 the Blind to the county.

36 (3) Any balance from the levy at the end of the year shall revert to the
37 treasury of the county, and any deficiency shall be:

1 (i) Included in the next levy; and

2 (ii) Paid immediately to the Maryland School for the Blind.

3 (4) Taxes levied and collected in any county under this section:

4 (i) Shall be used to defray the expenses of the blind children who
5 are sent to the Maryland School for the Blind; and

6 (ii) May not be transferred to any other fund by county authorities.]
7 8-317.

8 (a) (1) In this section the following words have the meanings indicated.

9 (2) "4-year average annual full-time equivalent enrollment" means:

10 (i) ~~The average number of students enrolled annually in grades~~
11 ~~prekindergarten through grade 12 at the Maryland School for the Blind during 4~~
12 ~~consecutive school years as determined by dividing the aggregate monthly enrollment~~
13 ~~during the 4-year period by the number of months school is in session during the~~
14 ~~4-year period; and~~

15 (ii) ~~One-half the average number of children served annually by~~
16 ~~the Maryland School for the Blind's Early Intervention Program during 4 consecutive~~
17 ~~school years as determined by dividing the program's aggregate monthly enrollment~~
18 ~~during the 4-year period by the number of months school is in session during the~~
19 ~~4-year period.~~

20 (3) ~~"ANNUAL SALARY INCREASE" MEANS THE INCREASE IN THE~~
21 ~~AGGREGATE SALARIES OF TEACHERS AND OTHER PROFESSIONAL PERSONNEL, AS~~
22 ~~REQUIRED BY § 8-309 OF THIS SUBTITLE, FROM THE AGGREGATE SALARIES OF~~
23 ~~TEACHERS AND RELATED PROFESSIONALS IN THE PRIOR FISCAL YEAR COMPARED~~
24 ~~TO THE SECOND PRIOR FISCAL YEAR.~~

25 (4) ~~"Growth in the per-pupil basic current expense figure" means the~~
26 ~~change in the per-pupil basic current expense figure from the prior fiscal year to the~~
27 ~~current fiscal year divided by the per-pupil basic current expense figure from the~~
28 ~~prior fiscal year.~~

29 [(4)] (5) ~~"Per-pupil basic current expense figure" means the figure~~
30 ~~calculated for each fiscal year by the Department in accordance with § 5-202 of this~~
31 ~~article.~~

32 [(5)] (6) ~~Except as provided in subsection (c) of this section, "prior-year~~
33 ~~appropriation" means the State appropriation to the Maryland School for the Blind in~~
34 ~~the prior fiscal year less any funding provided under § 8-315 of this subtitle in the~~
35 ~~prior fiscal year.~~

1 ~~[(6)]~~ (7) "Weighted enrollment growth" means the product of 0.2 times
2 the change in the 4 year average annual full-time equivalent enrollment from the
3 3rd through the 6th prior school years to the 2nd through the 5th prior school years
4 divided by the 4 year average annual full-time equivalent enrollment from the 3rd
5 through the 6th prior school years.

6 (b) Except as provided in subsection (c) of this section, the Maryland School
7 for the Blind shall receive an appropriation equal to or greater than the sum of:

8 (1) 75% of the prior year appropriation multiplied by the product of:

9 (i) The sum of the weighted enrollment growth plus one; and

10 (ii) The sum of the growth in the per pupil basic current expense
11 figure plus one; ~~[and]~~

12 (2) 25% of the prior year appropriation multiplied by the sum of the
13 weighted enrollment growth plus one; AND

14 (3) ~~120% OF THE ANNUAL SALARY INCREASE.~~

15 (c) The "prior year appropriation" used to calculate the fiscal year 2000
16 appropriation to the Maryland School for the Blind shall be \$11,585,436.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, ~~2003~~ 2004.