

HOUSE BILL 625

F3

71r0636

By: **Prince George's County Delegation**

Introduced and read first time: February 8, 2007

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Charter Schools – Funding**

3 **PG 421-07**

4 FOR the purpose of requiring the Prince George's County Board of Education to
5 disburse certain funds to public charter schools in the county in accordance with
6 a certain formula; authorizing the county board and certain charter schools to
7 negotiate for certain funds; authorizing the county board and certain charter
8 schools to provide certain transportation for certain students; providing for
9 certain reimbursement for certain transportation; clarifying that certain
10 reimbursement does not include certain transportation in personal vehicles;
11 providing for the application of this Act; and generally relating to public charter
12 schools in Prince George's County.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 9-109
16 Annotated Code of Maryland
17 (2006 Replacement Volume)

18 BY adding to
19 Article – Education
20 Section 9-109.1 and 9-109.2
21 Annotated Code of Maryland
22 (2006 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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 9–109.

5 (a) [A] **EXCEPT AS PROVIDED IN § 9–109.1 OF THIS TITLE, A** county
6 board shall disburse to a public charter school an amount of county, State, and federal
7 money for elementary, middle, and secondary students that is commensurate with the
8 amount disbursed to other public schools in the local jurisdiction.

9 (b) The State Board or the county board may give surplus educational
10 materials, supplies, furniture, and other equipment to a public charter school.

11 **9–109.1.**

12 (A) **THIS SECTION APPLIES ONLY TO PRINCE GEORGE’S COUNTY.**

13 (B) **THE PRINCE GEORGE’S COUNTY BOARD OF EDUCATION SHALL**
14 **DISBURSE TO A PUBLIC CHARTER SCHOOL AN AMOUNT OF COUNTY, STATE, AND**
15 **FEDERAL UNRESTRICTED CURRENT EXPENSE FUNDS FOR STUDENTS THAT IS IN**
16 **ACCORDANCE WITH THIS SECTION.**

17 (C) **A PUBLIC CHARTER SCHOOL SHALL RECEIVE ANY RESTRICTED**
18 **FUNDS FOR WHICH IT IS ELIGIBLE.**

19 (D) **SUBJECT TO SUBSECTION (F) OF THIS SECTION, THE COUNTY**
20 **BOARD SHALL:**

21 (1) **SUBTRACT EXPENDITURES FOR SPECIAL EDUCATION**
22 **SERVICES, TRANSPORTATION SERVICES, CONTINGENCIES, AND RESERVE FUNDS**
23 **IN THE COUNTY FROM THE COUNTY BOARD’S OPERATING BUDGET FOR THE**
24 **FISCAL YEAR IN WHICH THE PUBLIC CHARTER SCHOOL WILL OPERATE TO**
25 **REACH AN INITIAL FUNDING FIGURE;**

26 (2) **CALCULATE 85% OF THE INITIAL FUNDING FIGURE**
27 **CALCULATED UNDER ITEM (1) OF THIS SUBSECTION TO REACH AN ADJUSTED**
28 **FUNDING FIGURE;**

1 (3) DIVIDE THE ADJUSTED FUNDING FIGURE CALCULATED
2 UNDER ITEM (2) OF THIS SUBSECTION BY THE COUNTY'S FULL-TIME
3 EQUIVALENT ENROLLMENT AS DEFINED IN § 5-202(A) OF THIS ARTICLE FOR
4 THE FISCAL YEAR IN WHICH THE PUBLIC CHARTER SCHOOL WILL OPERATE TO
5 REACH AN ADJUSTED PER PUPIL EXPENDITURE; AND

6 (4) IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION,
7 DISBURSE TO A PUBLIC CHARTER SCHOOL AN AMOUNT OF MONEY EQUAL TO
8 THE ADJUSTED PER PUPIL FULL-TIME EQUIVALENT ENROLLMENT IN THE
9 PUBLIC CHARTER SCHOOL AS OF SEPTEMBER 30 OF THE YEAR IN WHICH THE
10 PUBLIC CHARTER SCHOOL IS OPERATING TO DETERMINE AN ANNUAL FUNDING
11 ALLOCATION.

12 (E) (1) BEFORE SEPTEMBER 30, AN ESTIMATED ENROLLMENT
13 FIGURE FOR THE PUBLIC CHARTER SCHOOL SHALL BE USED TO DETERMINE
14 THE PUBLIC CHARTER SCHOOL'S ANNUAL FUNDING ALLOCATION, WHICH SHALL
15 BE RECONCILED WHEN THE SEPTEMBER 30 ENROLLMENT COUNT IS AVAILABLE
16 AND THE PUBLIC CHARTER SCHOOL'S ANNUAL FUNDING ALLOCATION SHALL BE
17 ADJUSTED AS APPROPRIATE.

18 (2) IF THE COUNTY BOARD'S EXPENDITURES ARE DIFFERENT
19 FROM THE BUDGETED EXPENDITURES FOR THE FISCAL YEAR IN WHICH THE
20 PUBLIC CHARTER SCHOOL IS OPERATING, THE PUBLIC CHARTER SCHOOL'S
21 ANNUAL FUNDING ALLOCATION SHALL BE ADJUSTED AS APPROPRIATE.

22 (3) IF THE PUBLIC CHARTER SCHOOL CANNOT RETURN ANY
23 REQUIRED FUNDS IN THE CURRENT FISCAL YEAR, THE AMOUNT SHALL BE
24 REDUCED FROM THE PUBLIC CHARTER SCHOOL'S ANNUAL FUNDING
25 ALLOCATION IN THE FOLLOWING YEAR.

26 (F) (1) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, THE
27 COUNTY BOARD AND A CHARTER SCHOOL MAY NEGOTIATE FOR THE
28 DISBURSEMENT OF FUNDS TO THE CHARTER SCHOOL IN EXCESS OF THE FUNDS
29 PROVIDED UNDER SUBSECTION (D) OF THIS SECTION.

30 (2) IF THE COUNTY BOARD AND A PUBLIC CHARTER SCHOOL
31 NEGOTIATE FOR FUNDS UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE

1 DECISION OF THE COUNTY BOARD IS FINAL AND IS NOT APPEALABLE TO THE
2 STATE BOARD.

3 (G) THE STATE BOARD OR THE COUNTY BOARD MAY GIVE SURPLUS
4 EDUCATIONAL MATERIALS, SUPPLIES, FURNITURE, AND OTHER EQUIPMENT TO
5 A PUBLIC CHARTER SCHOOL.

6 **9-109.2.**

7 (A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

8 (B) THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION MAY
9 PROVIDE TRANSPORTATION FOR THE STUDENTS OF A PUBLIC CHARTER
10 SCHOOL.

11 (C) A PUBLIC CHARTER SCHOOL MAY PROVIDE TRANSPORTATION FOR
12 ITS STUDENTS.

13 (D) SUBJECT TO SUBSECTION (E) OF THIS SECTION, IF A PUBLIC
14 CHARTER SCHOOL PROVIDES TRANSPORTATION FOR ITS STUDENTS, AND THE
15 TOTAL ACTUAL COST OF TRANSPORTING ELIGIBLE STUDENTS IS:

16 (1) LESS THAN THE AVERAGE PER RIDER EXPENDITURE IN THE
17 COUNTY FOR TRANSPORTATION AS CALCULATED BY THE DEPARTMENT
18 MULTIPLIED BY THE NUMBER OF STUDENTS AT THE PUBLIC CHARTER SCHOOL
19 ELIGIBLE FOR TRANSPORTATION, THEN THE COUNTY BOARD SHALL REIMBURSE
20 THE PUBLIC CHARTER SCHOOL FOR THE TOTAL ACTUAL COST OF
21 TRANSPORTATION; OR

22 (2) EQUAL TO OR MORE THAN THE AVERAGE PER RIDER
23 EXPENDITURE IN THE COUNTY FOR TRANSPORTATION AS CALCULATED BY THE
24 DEPARTMENT MULTIPLIED BY THE NUMBER OF STUDENTS AT THE PUBLIC
25 CHARTER SCHOOL ELIGIBLE FOR TRANSPORTATION, THEN THE COUNTY BOARD
26 SHALL REIMBURSE THE PUBLIC CHARTER SCHOOL ELIGIBLE FOR
27 TRANSPORTATION MULTIPLIED BY THE AVERAGE PER RIDER EXPENDITURE.

28 (E) THIS SECTION MAY NOT BE CONSTRUED TO AUTHORIZE THE
29 REIMBURSEMENT TO PARENTS WHO TRANSPORT THEIR CHILDREN TO A
30 CHARTER SCHOOL IN A PERSONAL VEHICLE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2007.