

# HOUSE BILL 625

F3

71r0636

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

Introduced and read first time: February 8, 2007

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

3 **PG 421-07**

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

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Education  
Section 9–109.1 and 9–109.2  
Annotated Code of Maryland  
(2006 Replacement Volume)

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

**Article – Education**

9–109.

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

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

**9–109.1.**

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

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

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

(D) **SUBJECT TO SUBSECTION (F) OF THIS SECTION, IF THE COUNTY BOARD DISBURSES FUNDS UNDER SUBSECTION (B) OF THIS SECTION, THE COUNTY BOARD SHALL:**

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

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

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

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

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

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

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

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

1           (2) IF THE COUNTY BOARD AND A PUBLIC CHARTER SCHOOL  
2 NEGOTIATE FOR FUNDS UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE  
3 DECISION OF THE COUNTY BOARD IS FINAL AND IS NOT APPEALABLE TO THE  
4 STATE BOARD.

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

8 **9-109.2.**

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

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

13          (C) A PUBLIC CHARTER SCHOOL MAY PROVIDE TRANSPORTATION FOR  
14 ITS STUDENTS.

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

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

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.