

HOUSE BILL 738

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8lr2335

By: **Delegates Stocksdale, Barkley, Bates, Elliott, Heller, Krebs, Minnick, Morhaim, and Wood**

Introduced and read first time: February 4, 2008

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Aid for Education – Full-Time Equivalent Enrollment – Calculation**

3 FOR the purpose of altering the definition of “full-time equivalent enrollment” in the
4 calculation of certain State aid for education; providing for the application of
5 this Act; and generally relating to the determination of full-time equivalent
6 enrollment in the calculation of certain State aid for education.

7 BY repealing and reenacting, without amendments,
8 Article – Education
9 Section 5–202(a)(1), (2), (5), (8), (12), and (13) and (b)
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2007 Supplement)
12 (As enacted by Chapter 2 of the Acts of the General Assembly of the 2007
13 Special Session)

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 5–202(a)(6)
17 Annotated Code of Maryland
18 (2006 Replacement Volume and 2007 Supplement)

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

21 **Article – Education**

22 5–202.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) “Annual per pupil foundation amount” means:

2 (i) For fiscal years 2004 through 2008, the sum, rounded to the
3 nearest dollar, of:

4 1. The fiscal year 2002 per pupil foundation amount of
5 \$4,124; and

6 2. The product of the difference between the target per
7 pupil foundation amount and \$4,124 and:

8 A. 0.40 in fiscal year 2004;

9 B. 0.52 in fiscal year 2005;

10 C. 0.71 in fiscal year 2006; and

11 D. 0.83 in fiscal year 2007; and

12 (ii) For fiscal year 2008 and each fiscal year thereafter, the
13 target per pupil foundation amount.

14 (5) “Foundation program” means the product of the annual per pupil
15 foundation amount and a county’s full-time equivalent enrollment.

16 (6) “Full-time equivalent enrollment” means the sum of:

17 (i) The number of students enrolled in grades 1 through 12 or
18 their equivalent in regular day school programs [on September 30 of the previous
19 school year], **DETERMINED BY THE AVERAGE DAILY ATTENDANCE OF THE**
20 **STUDENTS DURING THE PREVIOUS SCHOOL YEAR;**

21 (ii) Except as provided in item (iii) of this paragraph, the
22 product of the number of students enrolled in kindergarten programs [on September
23 30 of the prior school year], **DETERMINED BY THE AVERAGE DAILY ATTENDANCE**
24 **OF THE STUDENTS DURING THE PRIOR SCHOOL YEAR,** and:

25 1. 0.60 in fiscal year 2004;

26 2. 0.70 in fiscal year 2005;

27 3. 0.80 in fiscal year 2006;

28 4. 0.90 in fiscal year 2007; and

29 5. 1.00 in fiscal year 2008 and each fiscal year
30 thereafter;

1 (iii) In Garrett County, the number of students enrolled in
2 kindergarten programs [on September 30 of the prior school year], **DETERMINED BY**
3 **THE AVERAGE DAILY ATTENDANCE OF THE STUDENTS DURING THE PRIOR**
4 **SCHOOL YEAR**; and

5 (iv) The number of full-time equivalent students, as determined
6 by a regulation of the Department, enrolled in evening high school programs during
7 the previous school year.

8 (8) “Local share of the foundation program” means the product of the
9 local contribution rate and a county’s wealth.

10 (12) “State share of the foundation program” means the greater of:

11 (i) The difference between the foundation program and the
12 local share of the foundation program; and

13 (ii) The result obtained by multiplying the annual per pupil
14 foundation amount by the county’s full-time equivalent enrollment, and multiplying
15 this product by:

- 16 1. 0.25 in fiscal year 2004;
- 17 2. 0.24 in fiscal year 2005;
- 18 3. 0.22 in fiscal year 2006;
- 19 4. 0.19 in fiscal year 2007; and
- 20 5. 0.15 in fiscal year 2008 and each fiscal year
21 thereafter.

22 (13) “Target per pupil foundation amount” means:

23 (i) In fiscal years 2008, 2009, and 2010, \$6,694; and

24 (ii) In subsequent fiscal years:

25 1. The target per pupil foundation amount for the prior
26 fiscal year increased by the same percentage as the lesser of:

27 A. The increase in the implicit price deflator for State
28 and local government expenditures for the second prior fiscal year;

1 B. The consumer price index for all urban consumers for
2 the Washington–Baltimore metropolitan area, or any successor index, for the second
3 previous fiscal year; or

4 C. 5%; or

5 2. If there is no increase in the implicit price deflator for
6 State and local government expenditures for the second prior fiscal year or in the
7 consumer price index for all urban consumers for the Washington–Baltimore
8 metropolitan area, or any successor index, for the second previous fiscal year, the
9 target per pupil foundation amount for the prior fiscal year.

10 (b) Subject to the other provisions of this section, each year the State shall
11 distribute the State share of the foundation program to each county board.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2008, and shall be applicable to the calculation of payments of State aid for
14 education for fiscal years beginning after June 30, 2009.