

HOUSE BILL 1154

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By: **Delegates O'Donnell, Aumann, Bates, Beitzel, Costa, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Jennings, Kach, Kipke, McComas, McConkey, Miller, Norman, Schuh, Shank, Smigiel, Sossi, Stifler, and Stocksdales**

Introduced and read first time: February 17, 2010

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education Funding Formula – Average Daily Attendance**

3 FOR the purpose of requiring certain enrollment calculations used for education aid to
4 be based on the average daily attendance in certain school years; defining
5 certain terms; providing for the application of this Act; and generally relating to
6 the calculation of education aid for primary and secondary education.

7 BY repealing and reenacting, with amendments,
8 Article – Education
9 Section 4–122(b)(2) and 5–202(a)
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2009 Supplement)

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

14 **Article – Education**

15 4–122.

16 (b) (2) The service providing local education agency shall include a child
17 enrolled as the result of an out-of-county living arrangement in their full-time
18 equivalent enrollment as provided by [§ 5–202(a)(6)] **§ 5–202(A)** of this article.

19 5–202.

20 (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) “ABSENTEEISM RATE” MEANS THE DIFFERENCE BETWEEN**
2 **1.00 AND THE AVERAGE DAILY ATTENDANCE RATE.**

3 **[(2)] (3)** “Annual per pupil foundation amount” means:

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

6 1. The fiscal year 2002 per pupil foundation amount of
7 \$4,124; and

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

10 A. 0.40 in fiscal year 2004;

11 B. 0.52 in fiscal year 2005;

12 C. 0.71 in fiscal year 2006; and

13 D. 0.83 in fiscal year 2007; and

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

16 **[(3)] (4)** “Assessed valuation of real property” means the most recent
17 estimate made by the State Department of Assessments and Taxation before the
18 annual State budget is submitted to the General Assembly, of the assessed value of
19 real property for State purposes as of July 1 of the first completed fiscal year before
20 the school year for which the calculation of State aid is made under this section.

21 **[(4)] (5)** “Assessed value of personal property” means the most recent
22 estimate by the State Department of Assessments and Taxation before the annual
23 State budget is submitted to the General Assembly of the assessed value for county
24 purposes of personal property as of July 1 of the first completed fiscal year before the
25 school year for which the calculation is made under this section.

26 **(6) “AVERAGE DAILY ATTENDANCE RATE” MEANS THE SUM OF**
27 **STUDENTS ATTENDING SCHOOL EACH DAY DURING THE SECOND PRIOR SCHOOL**
28 **YEAR DIVIDED BY THE SUM OF STUDENT MEMBERSHIP FROM EACH DAY DURING**
29 **THE SECOND PRIOR SCHOOL YEAR.**

30 **[(5)] (7)** “Foundation program” means the product of the annual per
31 pupil foundation amount and a county’s full-time equivalent enrollment.

