

HOUSE BILL 1045

F1

2lr0949

By: **Delegates Kittleman, McComas, and Morgan**

Introduced and read first time: February 10, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Education – Enrollment Count – Average Daily**
3 **Attendance**

4 FOR the purpose of defining the term “average daily attendance” for purposes of calculating
5 certain funding for primary and secondary education; altering the definition of
6 “full–time equivalent enrollment” to include the average daily attendance of students
7 in kindergarten through grade 12 on certain days of the prior school year; and
8 generally relating to the calculation of funding for primary and secondary education.

9 BY renumbering

10 Article – Education
11 Section 5–201(h) through (u), respectively
12 to be Section 5–201(i) through (v), respectively
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2021 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article – Education
17 Section 5–201(a)
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2021 Supplement)

20 BY adding to

21 Article – Education
22 Section 5–201(e)
23 Annotated Code of Maryland
24 (2018 Replacement Volume and 2021 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – Education
27 Section 5–201(e), (f), and (g)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2018 Replacement Volume and 2021 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
4 That Section(s) 5–201(h) through (u), respectively, of Article – Education of the Annotated
5 Code of Maryland be renumbered to be Section(s) 5–201(i) through (v), respectively.

6 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
7 as follows:

8 **Article – Education**

9 5–201.

10 (a) In this subtitle, except as otherwise provided, the following words have the
11 meanings indicated.

12 **(E) “AVERAGE DAILY ATTENDANCE” MEANS THE SUM OF STUDENTS**
13 **ATTENDING SCHOOL EACH DAY IN SEPTEMBER THROUGH DECEMBER OF THE PRIOR**
14 **SCHOOL YEAR DIVIDED BY THE NUMBER OF SCHOOL DAYS IN SEPTEMBER THROUGH**
15 **DECEMBER OF THE PRIOR SCHOOL YEAR.**

16 **[(e)] (F)** “Enrollment count” means the greater of:

- 17 (1) The full–time equivalent enrollment; or
18 (2) The 3–year moving average enrollment.

19 **[(f)] (G)** “Foundation program” means the product of the annual per pupil
20 foundation amount and a county’s enrollment count.

21 **[(g)] (H)** “Full–time equivalent enrollment” means the sum of:

22 (1) The **[number]** **AVERAGE DAILY ATTENDANCE** of students **[enrolled]**
23 **in kindergarten through grade 12 or their equivalent in regular day school programs [on**
24 **September 30 of the prior school year];**

25 (2) The number of full–time equivalent students, as determined by a
26 regulation of the Department, enrolled in evening high school programs during the prior
27 school year; and

28 (3) The number of P–TECH students, as provided in § 7–1804(b) of this
29 article.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2022, and shall be applicable to the calculation of funding for education for fiscal years
3 beginning after June 30, 2023.