SENATE BILL 706

By: Senators Zucker and Elfreth
Introduced and read first time: February 4, 2022
Assigned to: Budget and Taxation

A BILL ENTITLED

AN ACT concerning

Nonpublic Educational Programs – Children With Disabilities – Costs of Teacher Salaries

FOR the purpose of requiring the State and certain counties to pay for costs of salaries for teachers at nonpublic educational programs in a certain amount and proportion; and generally relating to salaries for teachers at nonpublic educational programs for children with disabilities.

BY repealing and reenacting, without amendments,
   Article – Education
   Section 8–415(d)
   Annotated Code of Maryland
   (2018 Replacement Volume and 2021 Supplement)

BY adding to
   Article – Education
   Section 8–415(e)
   Annotated Code of Maryland
   (2018 Replacement Volume and 2021 Supplement)

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

Article – Education

8–415.

(d) (1) In this subsection, “basic cost” as to each county, means the average amount spent by the county from county, State, and federal sources for the public education of a nonhandicapped child. “Basic cost” does not include amounts specifically allocated and spent for identifiable compensatory programs for disadvantaged children.
(2) As provided in paragraphs (3) and (4) of this subsection, the State and the counties shall share collectively in the cost of educating children with disabilities in nonpublic programs under § 8–406 of this subtitle.

(3) (i) Subject to the limitation under subparagraph (ii) of this paragraph, for each of these children domiciled in the county, the county shall contribute for each placement the sum of:

1. The local share of the basic cost;

2. An additional amount equal to 200 percent of the basic cost; and

3. A. For fiscal year 2009, an additional amount equal to 20 percent of the approved cost or reimbursement in excess of the sum of items 1 and 2 of this subparagraph; and

B. For fiscal year 2010 and each subsequent fiscal year thereafter, an additional amount equal to 30 percent of the approved cost or reimbursement in excess of the sum of items 1 and 2 of this subparagraph.

(ii) The amount that a county is required to contribute under subparagraph (i) of this paragraph may not exceed the total cost or reimbursement amount approved by the Department.

(4) For each of these children, the State shall contribute an amount equal to the amount of the approved cost or reimbursement in excess of the amount the county is required to contribute under paragraph (3) of this subsection.

(E) (1) In this subsection, “LOCAL SCHOOL SALARIES” means the salaries received in the local school system by public school teachers of similar training and experience to teachers at a nonpublic educational program in the same county.

(2) A nonpublic educational program shall provide its teachers a salary that is equivalent to the local school salaries.

(3) If the amount of funding provided under subsection (D) of this section is insufficient to provide local school salaries to teachers at a nonpublic educational program, additional funding shall be provided in an amount equal to the difference between the amount of funding needed to provide local school salaries to teachers at a nonpublic educational program and the funding provided under subsection (D) of this section.
(4) The additional funding under paragraph (3) of this subsection shall be paid for by the State and the county in the same proportion as the costs paid under subsection (d) of this section.

(5) Funding for other components of the nonpublic educational program may not be reduced to provide teacher salaries in accordance with this subsection.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.