



Nancy S. Grasmick  
State Superintendent of Schools

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TO: Members of the Maryland State Board of Education  
FROM: Nancy S. Grasmick *Nancy*  
RE: Legislative Update  
DATE: March 24, 2009

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**PURPOSE**

The purpose of this item is to provide a legislative update and status report of issues relative to education legislation that are currently before the 2009 General Assembly. Please find attached a synopsis of several pieces of significant legislation that has been introduced since your last State Board meeting.

**EXECUTIVE SUMMARY**

I have asked Ms. Renee Spence to briefly update the members of the State Board of Education on the outcomes of the significant legislation that you have followed during the 2009 session, as well as to review any new pending legislation with you.

If you have any questions, please feel free to contact me or Ms. Renee Spence at 410-767-0462. As always, thank you for your continuous help and support.

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Attachments

**Maryland State Board of Education**  
**March 24, 2009**  
**Synopsis 4**

| <b>Bill #</b>  | <b>Bills</b>   |
|----------------|--|
| <b>HB 1329</b> | <b>State Aid for Education - Full-Time Equivalent Enrollment - Calculation</b><br>Altering the definition of "full-time equivalent enrollment" in the calculation of specified State aid for education.  |
| <b>HB 1396</b> | <b>Higher Education - Student Financial Assistance - Dually Enrolled Students</b><br>Expanding eligibility in the Part-Time Grant Program to include specified students who are dually enrolled in specified secondary schools in the State and specified institutions of higher education; providing that a recipient of a specified part-time grant is not required to receive specified academic credit under specified circumstances; authorizing an institution of higher education to use up to a specified amount of Part-Time Grant Program funds for specified purposes; etc. |
| <b>HB 1502</b> | <b>Prince George's County - Financial Literacy Curriculum Content</b><br>Requiring the Prince George's County Board of Education to develop curriculum content for a course in financial literacy; requiring the curriculum content to include instruction in choosing a career, earning an income, saving and investing money, credit, and budgeting; and requiring students to complete a course in financial literacy in order to graduate from high school in Prince George's County.  |
| <b>HB 1543</b> | <b>Virtual Schools</b><br>Authorizing the State Department of Education or a county board of education to establish a virtual school in the State; establishing that a virtual school is a public school subject to applicable laws and regulations; requiring a virtual school to provide specified curricular programs to the students of the virtual school; requiring a virtual school to provide specified materials and access to technology to the parent or guardian of a student enrolled in the virtual school; etc.   |
| <b>HB 1549</b> | <b>Thornton Formula - Evaluation</b><br>Requiring the State Department of Education to examine and evaluate specified education funding formulas; and requiring the Department to submit a preliminary report on or before July 1, 2009, and a final report on or before October 1, 2009, to the Governor and the General Assembly.  |
| <b>HB 1558</b> | <b>Student Stigma Act</b><br>Changing references to "emotional disturbance" to "emotional or behavioral disability"; providing that specified documents may not be used until the use of specified other documents; providing for the intent of the Act; etc.  |
| <b>SB 990</b>  | <b>Reporting Requirement - Class Size</b><br>Requiring the State Department of Education to develop a uniform data collection method to track the number of students who regularly participate in a classroom teacher's class by the beginning of the 2012-2013 academic year; requiring the method to reflect the number of these students in a classroom teacher's class as of September 30 of each year; requiring each county board of education to implement the method and report the results to the Department on or before December 1 of each year; etc.                       |

|                       |   |
|-----------------------|---|
| <p><b>SB 1032</b></p> | <p><b>Funding Formula to Expand K-12 Online Education</b><br/>         Requiring the State Board of Education to set fees for online courses and services and payment of online courses and services of the Maryland Virtual Learning Opportunities Program in a specified manner for Program course enrollees who are public school students and individuals not enrolled in public schools; requiring specified county boards of education to reimburse the Program a specified amount under specified circumstances; etc.</p>  |
| <p><b>SB 1049</b></p> | <p><b>Domestic Violence - Tween/Teen Dating Violence Education and Awareness</b><br/>         Requiring the State Board of Education to develop and implement in the public schools a program to educate students about dating violence; requiring the program to include education on services provided to victims of dating violence; altering the definition of "victim of domestic violence" for purposes of specified provisions of law; and requiring the Governor annually to proclaim the second week in October "Statewide Tween/Teen Dating Violence Education and Awareness Week".</p> |



# SENATE BILL 1032

F1

9lr3009  
CF 9lr2443

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By: **Senator Rosapepe**

Introduced and read first time: March 6, 2009

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Funding Formula to Expand K-12 Online Education**

3 FOR the purpose of requiring the State Board of Education to set certain fees for  
4 online courses and services and payment of online courses and services of the  
5 Maryland Virtual Learning Opportunities Program in a certain manner for  
6 program course enrollees; requiring certain county boards of education to  
7 reimburse the Program a certain amount under certain circumstances;  
8 requiring the State Board to establish a certain policy for payment of Program  
9 course fees by certain individuals not enrolled in public schools; requiring the  
10 Governor to include a certain appropriation for the Program in the State budget  
11 of a certain year using certain funds; requiring the Department of Education to  
12 submit a certain report to the General Assembly beginning on a certain date  
13 each year; providing that it is the intent of the General Assembly that the  
14 Governor include a certain appropriation for the Program in the State budget of  
15 a certain year; and generally relating to funding for the Maryland Virtual  
16 Learning Opportunities Program.

17 BY repealing and reenacting, with amendments,  
18 Article - Education  
19 Section 7-1002  
20 Annotated Code of Maryland  
21 (2008 Replacement Volume)

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

24 **Article - Education**

25 7-1002.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## SENATE BILL 1032

1 (a) The Department shall provide Maryland virtual learning opportunities  
2 that include:

3 (1) Offering a distance-learning program to provide Maryland public  
4 school students with equal opportunities to develop a strong academic foundation;

5 (2) Offering expanded educational choices not otherwise available to  
6 students through on-line courses and services; and

7 (3) Expanding the professional development opportunities available to  
8 educational staff in Maryland public schools through on-line courses and services.

9 (b) (1) **THERE IS A MARYLAND VIRTUAL LEARNING OPPORTUNITIES**  
10 **PROGRAM.**

11 (2) With the approval of the State Board and the State  
12 Superintendent, the Department shall:

13 [(1)] (I) Develop on-line courses and services;

14 [(2)] (II) Procure on-line courses and services;

15 [(3)] (III) Develop standards for teachers and other school system  
16 employees for the offering of courses or services on the Internet or through other  
17 developing technologies; and

18 [(4)] (IV) Review courses and courseware to assure quality and  
19 alignment with the Maryland content standards and other appropriate standards.

20 (c) (1) There is a Maryland Virtual Learning Opportunities Fund.

21 (2) The State Board [may] **SHALL:**

22 (I) [set] **SET** reasonable fees for on-line courses and services **IN**  
23 **ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (D)(1) OF THIS SECTION;**  
24 **AND**

25 (II) **DETERMINE THE METHOD FOR PAYING FOR ONLINE**  
26 **COURSES AND SERVICES IN ACCORDANCE WITH SUBSECTION (D)(2) OF THIS**  
27 **SECTION.**

28 (3) [The fees charged shall be set so as to produce funds to support  
29 maintenance of Maryland virtual learning opportunities.

30 (4)] The State Board shall pay all funds collected under this subtitle to  
31 the Comptroller of the State.



1            [(5)] (4)     The Comptroller shall distribute the fees to the Maryland  
2 Virtual Learning Opportunities Fund.

3            [(6)] (5)     The Fund is a continuing, nonlapsing fund not subject to §  
4 7-302 of the State Finance and Procurement Article.

5            [(7)] (6)     Any unspent portions of the Fund may not be transferred or  
6 revert to the General Fund of the State, but shall remain in the Fund to be used for  
7 the purposes specified in this subtitle.

8            [(8)] (7)     The Legislative Auditor shall audit the accounts and  
9 transactions of the Fund as provided in § 2-1220 of the State Government Article.

10           (D) (1)     **THE STATE BOARD SHALL SET THE FEE FOR EACH ONLINE**  
11 **COURSE AS A PERCENTAGE OF THE TARGET PER PUPIL AMOUNT AS DEFINED IN**  
12 **§ 5-202 OF THIS ARTICLE.**

13           (2) (I)     **PAYMENT FOR ONLINE COURSES AND SERVICES SHALL**  
14 **BE MADE IN ACCORDANCE WITH THIS PARAGRAPH.**

15           (II)     **BEGINNING ON JULY 1, 2011, IF THE ENROLLEES IN AN**  
16 **ONLINE COURSE ARE PUBLIC SCHOOL STUDENTS AND THE COUNTY BOARD**  
17 **THAT HAS JURISDICTION OVER THE SCHOOLS THAT THE ENROLLEES ATTEND**  
18 **ACCEPTS THE ONLINE COURSE, THE COUNTY BOARD SHALL REIMBURSE THE**  
19 **MARYLAND VIRTUAL LEARNING OPPORTUNITIES FUND AN AMOUNT EQUAL TO**  
20 **THE FIGURE THAT IS CALCULATED AS FOLLOWS:**

21           1.     **MULTIPLY THE FULL-TIME EQUIVALENT**  
22 **ENROLLMENT IN THE ONLINE COURSE ATTRIBUTABLE TO THE COUNTY BOARD**  
23 **BY THE TARGET PER PUPIL AMOUNT DEFINED IN § 5-202 OF THIS ARTICLE; AND**

24           2.     **MULTIPLY THE PRODUCT OF ITEM 1 OF THIS**  
25 **SUBPARAGRAPH BY 0.90.**

26           (III)     **THE STATE BOARD SHALL ESTABLISH A POLICY FOR**  
27 **PAYMENT OF FEES FOR ONLINE COURSES BY INDIVIDUALS NOT ENROLLED IN A**  
28 **PUBLIC SCHOOL.**

29           [(d)] (E)     The State Board may adopt regulations to implement the  
30 provisions of this section.

31           [(e)] (F)     [The] **BEGINNING SEPTEMBER 1, 2010, AND EACH YEAR**  
32 **THEREAFTER, THE** Department shall submit to the Governor and, subject to §  
33 2-1246 of the State Government Article, the General Assembly, [on or before

**SENATE BILL 1032**

1 September 1, 2004,] a report on the progress of the Maryland Virtual Learning  
2 Opportunities Program, including a description of the available on-line courses and  
3 services.

4 **(G) THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET IN FISCAL**  
5 **YEAR 2011 AN APPROPRIATION OF \$1,500,000 FOR THE PROGRAM FROM THE**  
6 **ALLOCATION FOR MARYLAND IN THE FEDERAL AMERICAN RECOVERY AND**  
7 **REINVESTMENT ACT OF 2009.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
9 General Assembly that the Governor include in the State budget in fiscal year 2010 an  
10 appropriation of \$1,500,000 for the Maryland Virtual Learning Opportunities Program  
11 under § 7-1002 of the Education Article.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 July 1, 2009.

# HOUSE BILL 1329

F1

9lr3090

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By: **Delegate Stocksdale**

Introduced and read first time: February 18, 2009

Assigned to: Rules and Executive Nominations

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## 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 (2008 Replacement Volume)

12 BY repealing and reenacting, with amendments,  
13 Article - Education  
14 Section 5-202(a)(6)  
15 Annotated Code of Maryland  
16 (2008 Replacement Volume)

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

19 **Article - Education**

20 5-202.

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

22 (2) "Annual per pupil foundation amount" means:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





## HOUSE BILL 1329

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

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

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

7 A. 0.40 in fiscal year 2004;

8 B. 0.52 in fiscal year 2005;

9 C. 0.71 in fiscal year 2006; and

10 D. 0.83 in fiscal year 2007; and

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

13 (5) "Foundation program" means the product of the annual per pupil  
14 foundation amount and a county's full-time equivalent enrollment.

15 (6) "Full-time equivalent enrollment" means the sum of:

16 (i) The number of students enrolled in grades 1 through 12 or  
17 their equivalent in regular day school programs [on September 30 of the previous  
18 school year], **DETERMINED BY THE AVERAGE OF THE STUDENT ATTENDANCE ON  
19 SEPTEMBER 30 AND ON APRIL 15 OF THE PRIOR SCHOOL YEAR;**

20 (ii) Except as provided in item (iii) of this paragraph, the  
21 product of the number of students enrolled in kindergarten programs [on September  
22 30 of the prior school year], **DETERMINED BY THE AVERAGE OF THE STUDENT  
23 ATTENDANCE ON SEPTEMBER 30 AND ON APRIL 15 OF THE PRIOR SCHOOL  
24 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 OF THE STUDENT ATTENDANCE ON SEPTEMBER 30 AND ON**  
4 **APRIL 15 OF THE PRIOR 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;
    - 29 B. The consumer price index for all urban consumers for  
30 the Washington-Baltimore metropolitan area, or any successor index, for the second  
31 previous fiscal year; or



**HOUSE BILL 1329**

1 C. 5%; or

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

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

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 July 1, 2009, and shall be applicable to the calculation of payments of State aid for  
11 education for fiscal years beginning after June 30, 2010.

# HOUSE BILL 1543

F1

9lr3427

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By: **Delegates Boteler and Kach**

Introduced and read first time: March 9, 2009

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education - Public Schools - Virtual Schools**

3 FOR the purpose of authorizing the State Department of Education or a county board  
4 of education to establish a certain virtual school in the State; establishing that a  
5 virtual school is a public school subject to certain laws and regulations;  
6 authorizing a certain student to enroll in a virtual school; requiring a virtual  
7 school to provide certain curricular programs to the students of the virtual  
8 school; requiring a virtual school to provide certain materials and access to  
9 technology to the parent or guardian of a student enrolled in the virtual school;  
10 prohibiting a virtual school from providing certain funds to the parent or  
11 guardian of a student enrolled in the virtual school; authorizing a virtual school  
12 to reimburse the student's parent or guardian for certain costs; requiring each  
13 teacher employed by a virtual school to have a certain certification; requiring a  
14 virtual school to maintain a certain administrative office; requiring the sponsor  
15 of a virtual school to complete a certain annual evaluation of the virtual school;  
16 authorizing the State Board of Education to adopt certain regulations; defining  
17 certain terms; and generally relating to the establishment of virtual schools.

18 BY repealing and reenacting, without amendments,  
19 Article - Education  
20 Section 4-109  
21 Annotated Code of Maryland  
22 (2008 Replacement Volume)

23 BY adding to  
24 Article - Education  
25 Section 7-1301 through 7-1308 to be under the new subtitle "Subtitle 13.  
26 Virtual Schools"  
27 Annotated Code of Maryland  
28 (2008 Replacement Volume)

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

[Brackets] indicate matter deleted from existing law.





## HOUSE BILL 1543

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## Preamble

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WHEREAS, Meeting the educational needs of children in Maryland schools is of the greatest importance to the future welfare of the State; and

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WHEREAS, Closing the achievement gap between high-performing students, including the gap between minority and nonminority students, and between economically disadvantaged students and their more advantaged peers, is a significant and present challenge; and

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WHEREAS, Providing a broader range of educational options to parents and utilizing existing resources, along with technology, may help students improve their academic achievement; and

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WHEREAS, Many county boards currently lack the capacity to provide other public school choices for students whose schools are high priority schools; now, therefore,

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

16

**Article - Education**

17

4-109.

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(a) Subject to approval by the State Superintendent and in accordance with the applicable bylaws, rules, and regulations of the State Board, a county board may establish a public school if, in its judgment, it is advisable.

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(b) On approval by the State Superintendent, any school established under this section becomes a part of the State program of public education.

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(c) With the advice of the county superintendent, the county board shall determine the geographical attendance area for each school established under this section.

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**SUBTITLE 13. VIRTUAL SCHOOLS.**

27

**7-1301.**

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**(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

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**(B) "SPONSOR" MEANS THE DEPARTMENT OR A COUNTY SCHOOL BOARD, HAVING A FIDUCIARY RESPONSIBILITY FOR THE OPERATION OF THE VIRTUAL SCHOOL.**

1 (C) "VIRTUAL SCHOOL" MEANS AN INDEPENDENT PUBLIC SCHOOL  
2 ESTABLISHED BY THE DEPARTMENT OR BY A COUNTY BOARD UNDER § 4-109 OF  
3 THIS ARTICLE, IN WHICH THE SCHOOL USES TECHNOLOGY TO DELIVER A  
4 SIGNIFICANT PORTION OF INSTRUCTION TO ITS STUDENTS VIA THE INTERNET  
5 IN A VIRTUAL OR REMOTE SETTING.

6 7-1302.

7 (A) THE DEPARTMENT OR A COUNTY BOARD MAY ESTABLISH A VIRTUAL  
8 SCHOOL.

9 (B) A VIRTUAL SCHOOL IS SUBJECT TO ALL APPLICABLE FEDERAL AND  
10 STATE LAWS AND REGULATIONS GOVERNING THE OPERATION OF A PUBLIC  
11 SCHOOL.

12 (C) A STUDENT WHO IS ELIGIBLE FOR ENROLLMENT IN A PUBLIC  
13 SCHOOL IN THE STATE MAY ENROLL IN A VIRTUAL SCHOOL.

14 7-1303.

15 (A) A VIRTUAL SCHOOL SHALL PROVIDE EACH ENROLLED STUDENT:

16 (1) ACCESS TO A SEQUENTIAL CURRICULUM THAT MEETS OR  
17 EXCEEDS THE STANDARDS ADOPTED BY THE COUNTY BOARD IN THE COUNTY OF  
18 THE VIRTUAL SCHOOL'S PRINCIPAL PLACE OF BUSINESS;

19 (2) THE SAME LENGTH OF TIME FOR LEARNING OPPORTUNITIES  
20 PER ACADEMIC YEAR THAT IS REQUIRED FOR PUBLIC SCHOOL STUDENTS,  
21 UNLESS THE VIRTUAL SCHOOL CAN SHOW THAT A STUDENT HAS  
22 DEMONSTRATED MASTERY OR COMPLETION OF THE SUBJECT AREA; AND

23 (3) REGULAR ASSESSMENT IN READING, MATH, SCIENCE, AND  
24 SOCIAL STUDIES.

25 (B) A CURRICULUM ADOPTED UNDER SUBSECTION (A) OF THIS SECTION  
26 SHALL HAVE AN INTERACTIVE PROGRAM WITH SIGNIFICANT ONLINE  
27 COMPONENTS.

28 7-1304.

29 (A) A VIRTUAL SCHOOL SHALL PROVIDE TO THE PARENT OR GUARDIAN  
30 OF EACH ENROLLED STUDENT:

31 (1) INSTRUCTIONAL MATERIALS;



1           (2) ACCESS TO NECESSARY TECHNOLOGY SUCH AS A COMPUTER  
2 AND PRINTER; AND

3           (3) ACCESS TO AN INTERNET CONNECTION FOR USE ON  
4 SCHOOLWORK.

5           (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
6 SUBSECTION, A VIRTUAL SCHOOL MAY NOT PROVIDE FUNDS FOR THE  
7 PURCHASE OF INSTRUCTIONAL PROGRAMS OR MATERIALS TO A STUDENT OR TO  
8 A STUDENT'S PARENT OR GUARDIAN.

9           (2) THIS SECTION DOES NOT PROHIBIT A VIRTUAL SCHOOL FROM  
10 REIMBURSING A STUDENT OR A STUDENT'S PARENT OR GUARDIAN FOR COSTS  
11 ASSOCIATED WITH AN INTERNET CONNECTION FOR USE IN THE VIRTUAL  
12 SCHOOL PROGRAM.

13 7-1305.

14           A TEACHER EMPLOYED BY A VIRTUAL SCHOOL SHALL HAVE A TEACHER'S  
15 CERTIFICATE ISSUED BY THE STATE SUPERINTENDENT UNDER TITLE 6 OF THIS  
16 ARTICLE.

17 7-1306.

18           A VIRTUAL SCHOOL SHALL MAINTAIN AN ADMINISTRATIVE OFFICE IN THE  
19 STATE THAT SHALL BE CONSIDERED ITS PRINCIPAL PLACE OF BUSINESS.

20 7-1307.

21           A VIRTUAL SCHOOL SHALL BE EVALUATED EACH YEAR BY ITS SPONSOR  
22 BASED ON THE FOLLOWING CRITERIA:

23           (1) THE EXTENT TO WHICH THE SCHOOL DEMONSTRATES  
24 INCREASES IN STUDENT ACHIEVEMENT ACCORDING TO COUNTY AND STATE  
25 ACADEMIC STANDARDS; AND

26           (2) THE ACCOUNTABILITY AND VIABILITY OF THE VIRTUAL  
27 SCHOOL, AS DEMONSTRATED BY ITS ACADEMIC, FISCAL, AND OPERATIONAL  
28 PERFORMANCE.

29 7-1308.

1           **THE STATE BOARD MAY ADOPT REGULATIONS TO CARRY OUT THE**  
2 **PROVISIONS OF THIS SUBTITLE.**

3           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
4 **October 1, 2009.**





# HOUSE BILL 1549

F1

9lr2870

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By: **Delegates Hixson, Barve, Frick, Gilchrist, Kaiser, and Rice**  
Introduced and read first time: March 9, 2009  
Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education Funding - Thornton Formula - Evaluation**

3 FOR the purpose of requiring the State Department of Education to examine and  
4 evaluate certain education funding formulas; requiring the Department to make  
5 certain preliminary and final reports and recommendations to the Governor and  
6 the General Assembly by certain dates; and generally relating to education  
7 funding.

8 Preamble

9 WHEREAS, The Bridge to Excellence in Public Schools Act of 2002 (known as  
10 Thornton) intentionally boosted education funding significantly from fiscal years 2003  
11 through 2008 through annual enhancements to the major State aid formulas; and

12 WHEREAS, Each year during the phase-in of Thornton, education funding  
13 increased significantly and by the final year of the phase-in schedule, which was fiscal  
14 year 2008, \$5.17 billion was provided to local education agencies; and

15 WHEREAS, A funding formula that relies heavily on net taxable income must  
16 be evaluated on a regular basis due to the potential for change in net taxable income  
17 on a yearly basis; and

18 WHEREAS, An evaluation of the components of the Thornton formula on a  
19 regular basis is necessary to ensure that the State is using the most effective and  
20 reasonable means of funding education; now, therefore,

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the State Department of Education shall:

23 (a) Examine and evaluate the following education funding formulas:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## HOUSE BILL 1549

- 1 (1) the Foundation Program;
- 2 (2) the geographic cost of education index (GCEI) adjustment;
- 3 (3) the at-risk formulas, including compensatory education, students  
4 with limited English proficiency, and special education;
- 5 (4) the Guaranteed Tax Base Program;
- 6 (5) transportation aid; and
- 7 (6) supplemental grants.

8 (b) On or before July 1, 2009, submit to the Governor and, in accordance with  
9 § 2-1246 of the State Government Article, the General Assembly a preliminary report  
10 that includes at least the following information concerning the most recently  
11 completed fiscal year ending June 30:

- 12 (1) results of the evaluation of the education funding formulas; and
- 13 (2) any recommendations of amendments proposed by the Department  
14 to the education funding formulas; and

15 (c) On or before October 1, 2009, submit to the Governor and, in accordance  
16 with § 2-1246 of the State Government Article, the General Assembly a final report on  
17 any recommendations of amendments proposed by the Department to the education  
18 funding formulas.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 June 1, 2009.