



Bernard J. Sadusky, Ed.D.  
Interim State Superintendent of Schools

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December 13, 2011

Mr. John R. Leopold, County Executive  
Office of the County Executive for Anne Arundel County  
44 Calvert Street  
Annapolis, MD 21401

### NOTICE OF NON-COMPLIANCE WITH MAINTENANCE OF EFFORT

Dear Mr. Leopold:

On November 16, 2011, the Superintendent of Anne Arundel County Public Schools, Dr. Kevin M. Maxwell, filed a Maintenance of Effort Certification Statement (Attached) with the Maryland State Department of Education. Based on the dollar amounts reflected on the certificate, I find that Anne Arundel County is not in compliance with its FY 2012 maintenance of effort requirement. Specifically, the maintenance of effort level amount for FY2012 is \$568,068,888. Anne Arundel County failed to meet that target. Dr. Maxwell has certified that the net local appropriation was \$556,105,600.

If the county disputes this finding of noncompliance, it may send to me within 30 days of the issuance of this notice of memorandum setting forth the basis for disputing this finding. I will refer the matter to the State Board of Education which will make the final determination.

If a final determination of non-compliance is made, I or the State Board will notify the Comptroller who is authorized by statute to suspend payment of "any funds due the county for the current fiscal year, as provided under §5-202,...,to the extent that the State's aid...exceeds the amount which the county received in the prior fiscal year." Md Educ. Code Ann. §5-213. The suspension would be applied in Fiscal Year 2013.

Thank you for your attention to this matter.

Sincerely,

Bernard J. Sadusky, Ed. D.  
Interim State Superintendent of Schools

Attachment

C: Dr. Kevin M. Maxwell  
✓ James DeGraffenreidt  
Anthony South  
Elizabeth M. Kameen

**CERTIFICATION STATEMENT  
STATE SHARE OF THE FOUNDATION PROGRAM  
FOR FISCAL YEAR 2012**

Education Article Section 5-202 (b) through (d) requires that to be eligible to receive State Share of the Foundation Program the following must be met:

**A. Minimum Share (local wealth x local contribution rate)  
from Foundation Program Calculation for Fiscal Year 2012** \$ 306,273,807

**B The product of Enrollment for the current fiscal year and the  
local appropriation on a per pupil basis for the prior fiscal year**

Fiscal Year 2011 Highest Local Appropriation \* to the School  
Operating Budget 562,360,000 ✓

Divided by

FTE Enrollment as of 9-30-2009 for Fiscal Year 2011 72,914.50

Fiscal Year 2011 Appropriation Per Student 7,712.59 ✓

Multiplied by

FTE Enrollment as of 9-30-2010 for Fiscal Year 2011 73,654.75

Equals

**Maintenance of Effort Level** 568,068,888 ✓

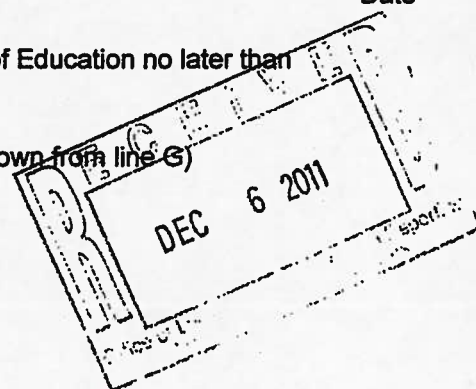
In accordance with the above requirements of the Acts of the General Assembly,  
I hereby certify that the above information is correct and that \$ 556,105,600 ✓  
is the Net Local Appropriation\* that will be provided to the Anne Arundel  
County Board of Education from County sources beginning July 1, 2011

  
\_\_\_\_\_  
Signature of the Superintendent of Schools

11/16/2011  
Date

This Certification is to be submitted to the Maryland State Department of Education no later than  
December 5, 2011

\* See other side for instructions to meet this requirement (amounts shown from line 3)



## ADJUSTMENTS TO LOCAL APPROPRIATION Anne Arundel

	<u>FY 2011</u>	<u>FY 2012</u>
A. Operating Budget Appropriation	\$ 562,360,000	\$ 556,105,600
Plus:		
B. Supplemental Appropriations *	-	-
<b>C. Total Appropriation ( A+ B )</b>	<u>562,360,000</u>	<u>556,105,600</u>
Less:		
D. Approved** Nonrecurring Costs		
1 Qualifying Exclusion	\$ -	\$ -
2 _____	_____	_____
3 _____	_____	_____
4 _____	_____	_____
<b>Total Supplemental &amp; Nonrecurring Costs</b>	\$ -	\$ -
E. Program Shifts Between County and Board Budgets *		
1 Qualifying Exclusion	-	-
2 _____	_____	_____
3 _____	_____	_____
<b>Total Program Shifts</b>	\$ -	\$ -
F. Other Reconciling Items*		
<b>G. Net Local Appropriation (C-D-E-F)</b>	<u>\$ 562,360,000</u>	<u>\$ 556,105,600</u>

\* Provide detail separately

\*\* Allowable to the extent that the Appropriation exceeds the minimum Maintenance of Effort Level.

