

HOUSE BILL 1301

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2lr2407
CF SB 706

By: **Delegates Korman and Henson**

Introduced and read first time: February 11, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Nonpublic Educational Programs – Children With Disabilities – Costs of**
3 **Teacher Salaries**

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

8 BY repealing and reenacting, without amendments,

9 Article – Education

10 Section 8–415(d)

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2021 Supplement)

13 BY adding to

14 Article – Education

15 Section 8–415(e)

16 Annotated Code of Maryland

17 (2018 Replacement Volume and 2021 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Education**

21 8–415.

22 (d) (1) In this subsection, “basic cost” as to each county, means the average
23 amount spent by the county from county, State, and federal sources for the public education
24 of a nonhandicapped child. “Basic cost” does not include amounts specifically allocated and
25 spent for identifiable compensatory programs for disadvantaged children.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) As provided in paragraphs (3) and (4) of this subsection, the State and
2 the counties shall share collectively in the cost of educating children with disabilities in
3 nonpublic programs under § 8-406 of this subtitle.

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

7 1. The local share of the basic cost;

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

10 3. A. For fiscal year 2009, an additional amount equal to
11 20 percent of the approved cost or reimbursement in excess of the sum of items 1 and 2 of
12 this subparagraph; and

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

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

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

22 **(E) (1) IN THIS SUBSECTION, "LOCAL SCHOOL SALARIES" MEANS THE**
23 **SALARIES RECEIVED IN THE LOCAL SCHOOL SYSTEM BY PUBLIC SCHOOL TEACHERS**
24 **OF SIMILAR TRAINING AND EXPERIENCE TO TEACHERS AT A NONPUBLIC**
25 **EDUCATIONAL PROGRAM IN THE SAME COUNTY.**

26 **(2) A NONPUBLIC EDUCATIONAL PROGRAM SHALL PROVIDE ITS**
27 **TEACHERS A SALARY THAT IS EQUIVALENT TO THE LOCAL SCHOOL SALARIES.**

28 **(3) IF THE AMOUNT OF FUNDING PROVIDED UNDER SUBSECTION (D)**
29 **OF THIS SECTION IS INSUFFICIENT TO PROVIDE LOCAL SCHOOL SALARIES TO**
30 **TEACHERS AT A NONPUBLIC EDUCATIONAL PROGRAM, ADDITIONAL FUNDING SHALL**
31 **BE PROVIDED IN AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE AMOUNT**
32 **OF FUNDING NEEDED TO PROVIDE LOCAL SCHOOL SALARIES TO TEACHERS AT A**
33 **NONPUBLIC EDUCATIONAL PROGRAM AND THE FUNDING PROVIDED UNDER**
34 **SUBSECTION (D) OF THIS SECTION.**

1 **(4) THE ADDITIONAL FUNDING UNDER PARAGRAPH (3) OF THIS**
2 **SUBSECTION SHALL BE PAID FOR BY THE STATE AND THE COUNTY IN THE SAME**
3 **PROPORTION AS THE COSTS PAID UNDER SUBSECTION (D) OF THIS SECTION.**

4 **(5) FUNDING FOR OTHER COMPONENTS OF THE NONPUBLIC**
5 **EDUCATIONAL PROGRAM MAY NOT BE REDUCED TO PROVIDE TEACHER SALARIES IN**
6 **ACCORDANCE WITH THIS SUBSECTION.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2022.