

# HOUSE BILL 1365

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By: **Delegates Rose, Boteler, Buckel, Chisholm, Hartman, Hornberger, Howard, Kittleman, Krebs, Mangione, McComas, Reilly, Saab, Shoemaker, Szeliga, Thiam, and Wivell**

Introduced and read first time: February 11, 2022

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Education – Full-Time Equivalent Enrollment Count –**  
3 **Alterations**

4 FOR the purpose of altering the definition of “full-time equivalent enrollment” in the  
5 calculation for State education aid to include the average number of students  
6 enrolled in kindergarten through grade 12 on certain days of the prior school year;  
7 and generally relating to the calculation of State aid for primary and secondary  
8 education.

9 BY repealing and reenacting, without amendments,  
10 Article – Education  
11 Section 5–201(a), (e), (f), and (t)  
12 Annotated Code of Maryland  
13 (2018 Replacement Volume and 2021 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Education  
16 Section 5–201(g)  
17 Annotated Code of Maryland  
18 (2018 Replacement Volume and 2021 Supplement)

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

21 **Article – Education**

22 5–201.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (e) “Enrollment count” means the greater of:

4 (1) The full-time equivalent enrollment; or

5 (2) The 3-year moving average enrollment.

6 (f) “Foundation program” means the product of the annual per pupil foundation  
7 amount and a county’s enrollment count.

8 (g) “Full-time equivalent enrollment” means the sum of:

9 (1) The **AVERAGE** number of students enrolled in kindergarten through  
10 grade 12 or their equivalent in regular day school programs on September 30, **DECEMBER**  
11 **31, MARCH 31, AND THE LAST DAY** of the prior school year;

12 (2) The number of full-time equivalent students, as determined by a  
13 regulation of the Department, enrolled in evening high school programs during the prior  
14 school year; and

15 (3) The number of P-TECH students, as provided in § 7-1804(b) of this  
16 article.

17 (t) (1) Except as provided in paragraph (2) of this subsection, “3-year moving  
18 average enrollment” means the average of the full-time equivalent enrollment in the 3  
19 prior school years.

20 (2) If the 3 prior school years includes the 2020–2021 school year, “3-year  
21 moving average enrollment” means:

22 (i) The sum of the full-time equivalent enrollment for the 4 prior  
23 school years minus the 2020–2021 school year full-time equivalent enrollment; divided by

24 (ii) Three.

25 **SECTION 2. AND BE IT FURTHER ENACTED**, That this Act shall take effect July  
26 1, 2022, and shall be applicable to the calculation of education funding for fiscal years  
27 beginning after June 30, 2023.