

## **Pennsylvania Public Hearing**

**Harrisburg, PA**

**November 18, 2008**

**8:30 am**

**Jodi King**

- The Maryland State Department of Education (MSDE) would like to take this opportunity to thank Representative Barbara McIlvaine Smith, Chairman of the House Special Education Sub Committee for the invitation to address the members of the House Education Committee.
- Funding special education and related services for Maryland students with disabilities, preschool special education, and Infants and Toddlers consists of federal, State and local funds.
- The state of Maryland has 24 local jurisdictions, 24 Boards of Education, 24 Superintendents, and 24 local Infant and Toddler lead agencies. The MSDE is the State lead agency for the Infant and Toddler programs.

- The federal appropriations are awarded annually by the United States Department of Education and are designated for specific funding streams. The federal Part B & Part C Pass Through money is used for the following:
  - To provide funding at the county level (LSS);
  - Administrative funding at the state level; and
  - Discretionary funds which are made available through competitive grant opportunities to local school systems.
- The MSDE holds an annual meeting in March with all 24 local school systems to provide the application process for Pass Through money and Discretionary Grants to support the State Performance Plan and Annual Performance Targets.
- In addition to federal funding, the local school systems receive State Aid in accordance with State Regulations.
- COMAR §5-202. State financial assistance for public education.

- In the fall of 1999, the Maryland General Assembly convened a committee to determine the adequacy of educational funding and to review the financing formulas in the State. This committee is referred to as the Thornton Commission.
- The State funding formula for all students attending public schools is complex and is based on a “foundation program.”
- This foundation program is known as the Bridge to Excellence in Public Schools Act of 2002 and is based on recommendations from the Thornton Commission including the Geographic Cost of Education Index (GCEI) to recognize costs beyond the local school systems control including the number of special education, low income, and Limited English Proficiency (LEP) students.

- Based on the Bridge to Excellence each of the 24 local school systems submits a Master Program Plan annually to the MSDE for approval.
- Local school systems are awarded State aid for special education students; however, the funds are spent at the discretion of the LSS.
- Local school systems are required to report expenditures of funds at the end of each fiscal year.
- Maryland Special Education costs have increased from FY 95 to FY 05. The FY 95 state formula was \$81,253,000 and increased to \$157,231,000 in FY 05.
- **COMAR §8-414. Funding level beginning fiscal year 1982.**
  - Beginning in fiscal year 1982, the funding level provided by the State and its counties for special education and related services for children with disabilities may not be less than the funding level for these services in fiscal year 1981.

- COMAR §8-406. Placement of child with a disability in nonpublic educational program.
  - A child with a disability who needs special education and related services that cannot be provided in a public county, regional, or State program shall be placed in an appropriate nonpublic education program that offers these services.
  - The cost of the nonpublic educational program shall be paid by the State and the county in which the child is domiciled.
- COMAR §8-415. Shared cost of education of children with disabilities.
  - The State and the counties shall share collectively in the cost of education children with disabilities in nonpublic programs under COMAR §8-406. Placement of child with a disability in nonpublic educational program.
  - The county shall contribute for each placement the sum of:

- The local share of the basic cost;
  - An additional amount equal to 200 percent of the basic cost; and
  - For fiscal year 2007 and each subsequent fiscal year, an additional amount equal to 20 percent of the approved cost or reimbursement in excess of the sum of items 1 and 2.
- 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.
- The State reimbursement share for Nonpublic placements has increased from \$46,891,000 in FY 95 to \$101,298,354 in FY 08.
- **COMAR §8-410. Transportation of child with a disability.**
  - Each local school system shall provide or arrange for the transportation during the regular school year of each child with a disability who is in a placement approved

in conformity with regulations of the State Board and standards in:

- A public school;
  - A school maintained by a State agency; and
  - A nonpublic school.
- The local school system of the county in which the child with a disability resides shall certify and pay the cost of the daily or other reasonable transportation to school.
- This provides a brief summary of the federal, State, and local components that make up the funding for students with disabilities, preschool special education, and the provision of services for Infants and Toddlers.
- Thank you for inviting the Maryland State Department of Education to be a part of this opportunity.